

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

TUESDAY, OCTOBER 17, 1995

SESSION OF 1995

179TH OF THE GENERAL ASSEMBLY

No. 67

### HOUSE OF REPRESENTATIVES

The House convened at 11 a.m., e.d.t.

**THE SPEAKER (MATTHEW J. RYAN)  
PRESIDING**

#### PRAYER

REV. KENNETH E. SHAFFER, Chaplain of the House of Representatives, from Seneca, Pennsylvania, offered the following prayer:

Let us pray:

Dear Lord, we recognize this morning that we are uniquely different, as You created no two of us exactly alike. As members of the House deal with the issues of the day, there will be differences of opinions, different views. In their discussion and debates, may they not become personal, allowing for these differences.

May we sense the presence of Your love that strengthens and unites. Grant wisdom and courage to obey their conscience, that when they make their decisions, they can live with them with peace of mind and peace of heart.

This we ask in the wonderful name of our Lord. Amen.

#### PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was recited by members and visitors.)

#### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, October 16, 1995, will be postponed until printed. The Chair hears no objection.

#### HOUSE BILLS INTRODUCED AND REFERRED

**No. 2081** By Representatives LUCYK, COY, JAROLIN, SCHRODER, PESCI, E. Z. TAYLOR, BELARDI, BOSCOLA, CURRY, BATTISTO and TRELLO

An Act amending the act of July 3, 1985 (P.L.164, No.45), known as the Emergency Medical Services Act, transferring the emergency medical services powers and duties from the Department of Health to the Pennsylvania Emergency Management Agency.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, October 17, 1995.

**No. 2082** By Representatives TRUE, BARLEY, THOMAS, RYAN, E. Z. TAYLOR, PERZEL, MARKOSEK, LEDERER, FARMER, TIGUE, BELARDI, RUBLEY, McGILL, HERSHEY, GRUPPO, VANCE, RUDY, COY, FICHTER, STRITTMATTER, MUNDY, CORRIGAN, BAKER, McGEEHAN, ARMSTRONG, DeLUCA, BATTISTO, HERMAN, BARD, PLATTS, LEH, HALUSKA, ROHRER, DALEY, KAISER, COLAFELLA, BOSCOLA, BEBKO-JONES, CORNELL, MARSICO, ZIMMERMAN, JAROLIN, TRELLO, ROBINSON, CURRY, SHEEHAN, YOUNGBLOOD, HUTCHINSON, HESS, WALKO, MELIO, L. I. COHEN, GEORGE, BROWN, HENNESSEY, FAJT and PESCI

An Act providing for an income tax refund checkoff for breast and cervical cancer research; and making a repeal.

Referred to Committee on FINANCE, October 17, 1995.

**No. 2083** By Representatives L. I. COHEN, EGOLF, BELARDI, DENT, ROBERTS, BAKER, MUNDY, RUBLEY, CURRY, SCHRODER, JOSEPHS, MASLAND, STABACK, MANDERINO, ITKIN, PITTS, E. Z. TAYLOR, PISTELLA, YOUNGBLOOD, TRELLO, BELFANTI, STEELMAN and LAUGHLIN

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for pupils who are unable, because of observance of a religious holiday, to attend classes.

Referred to Committee on EDUCATION, October 17, 1995.

**No. 2084** By Representatives L. I. COHEN, CORNELL, BELARDI, ROBERTS, BAKER, MUNDY, RUBLEY, CURRY, SCHRODER, JOSEPHS, MASLAND, ITKIN, PITTS, E. Z. TAYLOR, PISTELLA, YOUNGBLOOD, TRELLO, BELFANTI, STEELMAN, LAUGHLIN and ROEBUCK

An Act amending the act of July 17, 1961 (P.L.776, No.341), known as the Pennsylvania Fair Educational Opportunities Act, further providing for unfair educational practices.

Referred to Committee on EDUCATION, October 17, 1995.

**No. 2085** By Representatives L. I. COHEN, BATTISTO, RUBLEY, STEELMAN, JOSEPHS, YOUNGBLOOD, BARD, M. COHEN and RAMOS

An Act amending the act of April 27, 1927 (P.L.465, No.299), referred to as the *Fire and Panic Act*, prohibiting smoking in public places.

Referred to Committee on COMMERCE AND ECONOMIC DEVELOPMENT, October 17, 1995.

**No. 2086** By Representatives L. I. COHEN, PETTIT, BELARDI, SATHER, NAILOR, CORRIGAN, YOUNGBLOOD, SHANER, GIGLIOTTI, B. SMITH, RUBLEY, HENNESSEY, SCHRODER, ROEBUCK, WAUGH, JOSEPHS, GLADECK, MILLER, ITKIN, HERSHEY, E. Z. TAYLOR, BARD and RAMOS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for operation of a vehicle following death of owner.

Referred to Committee on TRANSPORTATION, October 17, 1995.

**No. 2087** By Representatives L. I. COHEN, PETTIT, BELARDI, YOUNGBLOOD, SHANER, GIGLIOTTI, RUBLEY, HENNESSEY, STABACK, ROEBUCK, WAUGH, JOSEPHS, GLADECK, ITKIN, HERSHEY, E. Z. TAYLOR and BARD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, prohibiting the use of children in the solicitation of contributions from motorists.

Referred to Committee on TRANSPORTATION, October 17, 1995.

**No. 2088** By Representatives L. I. COHEN, WAUGH, SATHER and JOSEPHS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for speed timing devices by reducing the tolerance of excessive speed from ten to five miles over the posted limit.

Referred to Committee on TRANSPORTATION, October 17, 1995.

**No. 2089** By Representatives L. I. COHEN, ARGALL, BELARDI, B. SMITH, BROWNE, FAIRCHILD, COLAFELLA, YOUNGBLOOD, RUBLEY, BELFANTI and STEELMAN

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for theft by unlawful taking.

Referred to Committee on JUDICIARY, October 17, 1995.

**No. 2090** By Representatives L. I. COHEN, SAYLOR, DeLUCA, STERN, LEDERER, TIGUE, BELARDI, GORDNER, HERMAN, STETLER, DALEY, BOSCOLA, RAYMOND and TRELLO

An Act amending the act of August 6, 1941 (P.L.861, No.323), referred to as the Pennsylvania Board of Probation and Parole Law, providing for a literacy requirement as a condition of eligibility for parole; making an appropriation; and making editorial changes.

Referred to Committee on JUDICIARY, October 17, 1995.

**No. 2091** By Representatives D. W. SNYDER, DeLUCA, MELIO, GEORGE, GRUPPO, GORDNER, FARMER, CLARK, WAUGH, NICKOL, HERSHEY, SAYLOR, GODSHALL, THOMAS, STERN, OLASZ, TRICH, TULLI, SEMMEL, STABACK, TRELLO, ROHRER, E. Z. TAYLOR, BUNT, M. COHEN, KENNEY, CIVERA, TIGUE and HORSEY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for reciprocity agreements.

Referred to Committee on TRANSPORTATION, October 17, 1995.

**No. 2092** By Representatives FLICK, DRUCE, ZUG, TRUE, SEMMEL, DEMPSEY, FEESE, FARGO, GEIST, PHILLIPS, HERMAN, LEH, FICHTER, CORNELL, EGOLF, PETTIT, BROWN, MAYERNIK, WOGAN, RUBLEY, TRICH, HARHART, RAYMOND, BOSCOLA, DiGIROLAMO, FAIRCHILD, ADOLPH, STAIRS, MAITLAND, MELIO, STERN, MERRY, ARMSTRONG, ALLEN, E. Z. TAYLOR, TANGRETTI, HERSHEY, GANNON, SATHER, WAUGH, DeLUCA, COY, MICOZZIE, SAYLOR, LEDERER, PLATTS, CLARK, TRELLO, COLAFELLA and HUTCHINSON

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for definitions and for eligibility; and providing for a drug testing program.

Referred to Committee on HEALTH AND HUMAN SERVICES, October 17, 1995.

**No. 2093** By Representatives BUXTON, ITKIN, TIGUE, THOMAS, BROWNE, STETLER, COWELL, WALKO, VAN HORNE, HANNA and M. COHEN

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, authorizing certain board of school directors to levy different rates of taxation for school purposes on land and on buildings.

Referred to Committee on EDUCATION, October 17, 1995.

**No. 2094** By Representatives BUXTON, THOMAS, ITKIN, BELARDI, COY, KUKOVICH, STURLA, MICOZZIE, McCALL, BATTISTO, ARGALL, STABACK, BARD, RAMOS, DALEY, PETRARCA, LEVDANSKY, BOSCOLA, M. COHEN and COLAFELLA

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for statement of public policy; increasing the total amount of annual neighborhood assistance tax credit granted; providing for the designation of certain enterprise zones as recycling manufacturing zones; providing for powers and duties of the Department of Community Affairs; providing tax credits for investments in recycling manufacturing zones; and making editorial changes.

Referred to Committee on FINANCE, October 17, 1995.

**No. 2095** By Representatives STRITTMATTER, SCHULER, ZIMMERMAN, E. Z. TAYLOR, CIVERA, LYNCH, FARGO, CLARK, LEH, SCHRODER, TULLI, GEIST, BROWN and SAYLOR

An Act providing for an alternative method of disbursement of health and welfare block grant funds; establishing the Health and Welfare Services Block Grant Fund; and making repeals.

Referred to Committee on HEALTH AND HUMAN SERVICES, October 17, 1995.

**No. 2096** By Representatives STRITTMATTER, SCHULER, ZIMMERMAN, E. Z. TAYLOR, CIVERA, LYNCH, FARGO, CLARK, LEH, SCHRODER, TULLI, GEIST, BROWN and SAYLOR

An Act providing for an alternative method of disbursement of health and welfare program funds; establishing the Health and Welfare Services Fund; and making repeals.

Referred to Committee on HEALTH AND HUMAN SERVICES, October 17, 1995.

**No. 2097** By Representatives BUNT, VEON, FICHTER, PHILLIPS, KREBS, COLAFELLA, B. SMITH, READSHAW, SATHER, NAILOR, HERSHEY, TRUE, LYNCH, SAYLOR, PETTIT, ROONEY, GANNON, L. I. COHEN, HALUSKA, STABACK, GRUPPO, BARD, MELIO, SEMMEL, TRELLO, MCGILL, BELARDI, E. Z. TAYLOR and CIVERA

An Act amending the act of December 7, 1982 (P.L.784, No.225), known as the Dog Law, further providing for law enforcement dogs.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, October 17, 1995.

**No. 2098** By Representatives MAITLAND, FLEAGLE, DEMPSEY, MCGEEHAN, STEELMAN, BELARDI, TRELLO, LUCYK, YOUNGBLOOD, ITKIN and BOSCOLA

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, modifying eligibility for special early retirement in the State system.

Referred to Committee on STATE GOVERNMENT, October 17, 1995.

**No. 2100** By Representatives KUKOVICH, ARGALL, BAKER, BATTISTO, BELARDI, BLAUM, BOSCOLA, BUNT, BUXTON, CLARK, CLYMER, COLAIZZO, CORRIGAN, DALEY, DeLUCA, GEORGE, GLADECK, GODSHALL, GORDNER, HALUSKA, HERMAN, JAMES, BEBKO-JONES,

LaGROTTA, LAUGHLIN, LEH, LUCYK, LYNCH, MARKOSEK, MASLAND, MAYERNIK, McCALL, MIHALICH, MUNDY, NICKOL, PESCI, PETRONE, PHILLIPS, PLATTS, READSHAW, RUBLEY, CIVERA, TRELLO, RUDY, SCRIMENTI, SHANER, B. SMITH, S. H. SMITH, STABACK, STRITTMATTER, TANGRETTI, E. Z. TAYLOR, THOMAS, TIGUE, TRAVAGLIO, VAN HORNE, WALKO, KAISER, JAROLIN and SATHER

An Act establishing a grant program for volunteer fire companies; and making an appropriation.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, October 17, 1995.

### REPORT OF COMMITTEE OF CONFERENCE PRESENTED

Mr. BARLEY presented the Report of the Committee of Conference on **SB 1074, PN 1493**.

### BILL REPORTED AND REREFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY

**HB 955, PN 1064**

By Rep. MERRY

An Act providing for regulation of water wells and for restriction of water usage.

LOCAL GOVERNMENT.

### BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, Mr. Perzel.

Mr. PERZEL. Mr. Speaker, I move that SB 665, SB 666, and SB 667 be removed from the table.

On the question,  
Will the House agree to the motion?  
Motion was agreed to.

### BILLS RECOMMENDED

The SPEAKER. The Chair recognizes the gentleman, Mr. Perzel.

Mr. PERZEL. Mr. Speaker, I move that SB 665, SB 666, and SB 667 be recommitted to the Committee on Appropriations.

On the question,  
Will the House agree to the motion?  
Motion was agreed to.

### ADDITIONS AND DELETIONS OF SPONSORS

The SPEAKER. The Chair acknowledges receipt of additions and deletions of sponsorships of bills, which the clerk will file.

(Copy of list is on file with the Journal clerk.)

**LEAVES OF ABSENCE**

The SPEAKER. The Chair recognizes the gentleman from Lancaster, Mr. Barley, for the purpose of taking leaves of absence.

The gentleman requests leave for the gentleman from Chester, Mr. SCHRODER, for today's session. Without objection, leave will be granted.

The Chair recognizes the gentleman, Mr. Itkin, for the purpose of taking leaves of absence.

The gentleman requests leave for the gentleman, Mr. MIHALICH; the gentleman, Mr. SHANER; the gentleman, Mr. TRAVAGLIO; and the gentleman, Mr. JAMES, all for today's session.

Without objection, leaves will be granted. The Chair hears no objection.

**MASTER ROLL CALL**

The SPEAKER. The Chair is about to take today's master roll call. Members will proceed to vote.

The following roll call was recorded:

**PRESENT-197**

Adolph	Durham	Lloyd	Santoni
Allen	Egolf	Lucyk	Sather
Argall	Evans	Lynch	Saylor
Armstrong	Fairchild	Maitland	Schuler
Baker	Fajt	Major	Scrimenti
Bard	Fargo	Manderino	Semmel
Barley	Farmer	Markosek	Serafini
Battisto	Feese	Marsico	Sheehan
Bebko-Jones	Fichter	Masland	Smith, B.
Belardi	Fleagle	Mayernik	Smith, S. H.
Belfanti	Flick	McCall	Snyder, D. W.
Birmelin	Gamble	McGeehan	Staback
Bishop	Gannon	McGill	Stairs
Blaum	Geist	Melio	Steelman
Boscola	George	Merry	Steil
Boyes	Gigliotti	Michlovic	Stern
Brown	Gladeck	Micozzie	Stetler
Browne	Godshall	Miller	Stish
Bunt	Gordner	Mundy	Strittmatter
Butkovitz	Gruitza	Nailor	Sturla
Buxton	Gruppo	Nickol	Surra
Caltagirone	Habay	Nyce	Tangretti
Cappabianca	Haluska	O'Brien	Taylor, E. Z.
Carr	Hanna	Olasz	Taylor, J.
Carone	Harhart	Oliver	Thomas
Cawley	Hasay	Perzel	Tigue
Chadwick	Hennessey	Pesci	Trello
Civera	Herman	Petrarca	Trich
Clark	Hershey	Petrone	True
Clymer	Hess	Pettit	Tulli
Cohen, L. I.	Horsey	Phillips	Vance
Cohen, M.	Hutchinson	Piccola	Van Horne
Colafella	Itkin	Pistella	Veon
Colaizzo	Jadlowiec	Pitts	Vitali
Conti	Jarolin	Platts	Walko
Cornell	Josephs	Preston	Washington
Corpora	Kaiser	Ramos	Waugh
Corrigan	Keller	Raymond	Williams
Cowell	Kenney	Redshaw	Wogan
Coy	King	Reber	Wozniak
Curry	Kirkland	Reinard	Wright, D. R.
Daley	Krebs	Rieger	Wright, M. N.
DeLuca	Kukovich	Roberts	Yewcic
Dempsey	LaGrotta	Robinson	Youngblood

Dent	Laughlin	Roebuck	Zimmerman
Dermody	Lawless	Rohrer	Zug
DeWeese	Lederer	Rooney	
DiGirolamo	Leh	Rubley	Ryan,
Donatucci	Lescovitz	Rudy	Speaker
Druce	Levdansky	Sainato	

**ADDITIONS-0**

**NOT VOTING-0**

**EXCUSED-5**

James	Schroder	Shaner	Travaglio
Mihalich			

**LEAVES CANCELED-2**

James	Shaner
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**GUESTS INTRODUCED**

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guests of Representative Roberts of Fayette County, a group of constituents from the Albert Gallatin School District. They are all seated in the gallery. Would the guests please wave? We do not expect you all to rise.

Welcome to Harrisburg.

**CALENDAR**

**BILLS ON THIRD CONSIDERATION**

**BILL PASSED OVER TEMPORARILY**

The SPEAKER. The Chair turns to page 4 of today's calendar.

It is the understanding of the Chair that the amendment to be offered by the gentleman, Mr. Yewcic, is not yet ready to be considered. HB 1712, therefore, will be passed over temporarily.

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The House proceeded to third consideration of **HB 1704, PN 2052**, entitled:

An Act amending the act of July 3, 1947 (P.L.1242, No.507), entitled "An act relating to police and firemen's pension funds in cities of the second class A, and directing such cities to appropriate certain moneys thereto, and requiring reports and audits," and the act of September 23, 1959 (P.L.970, No.400), referred to as the Second Class A City Employee Pension Law, further providing for credit for military service.

On the question,  
Will the House agree to the bill on third consideration?  
Bill was agreed to.

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.

The question is, shall the bill pass finally?  
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. The clerk will strike the board.

The Chair apologizes. The gentleman, Mr. Serafini, desired recognition on this bill.

Mr. SERAFINI. Thank you, Mr. Speaker.

The SPEAKER. The gentleman will yield.

Members will please take their seats. Members will please take their seats.

The Chair recognizes the gentleman, Mr. Serafini, on final passage of HB 1704.

Mr. SERAFINI. Mr. Speaker, I just have a question relative to the financial effects of this legislation on the city of Scranton, which is a second-class-A city and which is also a distressed municipality. Is the sponsor of the legislation available to answer a brief question?

The SPEAKER. It is my understanding that the gentleman, Mr. Tigie, is willing to stand for interrogation. The gentleman may proceed.

Mr. SERAFINI. Mr. Speaker, my question relates to the fact that the city of Scranton, being a distressed municipality—

The SPEAKER. The gentleman will please yield.

Sergeant at Arms, clear the area in the rear of the House.

Conferences in section 4, please. This is a throwback to the old days, but I will start to use it again – section 1, 2, 3, 4 – so you understand.

The gentleman, Mr. Serafini.

Mr. SERAFINI. Mr. Speaker, the city of Scranton, which is a second-class-A city, is a distressed municipality and, as such, has instituted what is termed a “commuter tax” on those individuals who live outside of the city to help finance the city’s financial woes. I am wondering whether this legislation will create any tax burden on the city, its pension fund, or its residents.

The SPEAKER. The gentleman, Mr. Tigie.

Mr. TIGUE. Mr. Speaker, this bill gives the city of Scranton, the governing body – the mayor, along with council – the right to allow municipal employees to purchase military time. All other cities have that right. The only one that does not is the second-class-A city of Scranton, which says they must purchase their military time within 3 years.

To respond directly to your question, the answer is, what will it cost the city? It may not cost the city anything. On the other hand, depending on who would be willing to purchase their military time, if they would retire, a policeman and fireman, and not be replaced, that in fact would save money for the taxpayers of the city, and hopefully for the commuter tax.

Mr. SERAFINI. So if I understand right then, Mr. Speaker, there will be no financial burden put on the city of Scranton by this legislation. It in fact could benefit the city by early retirement – is that what you are saying? – or by people being able to purchase their time and—

Mr. TIGUE. Mr. Speaker, my understanding is there will be no further financial burden on the city. The city supports this, the mayor and the council support this piece of legislation, and there should not be any additional burden. In fact, it may be a way to save some if we can get some people to retire and not replace them under the PEL, under the Pennsylvania Economy League’s plan to reduce policemen and/or firemen.

Mr. SERAFINI. So what you are saying then is that the city would encounter no additional contribution to the pension fund based upon the number of people who might take advantage of this.

Mr. TIGUE. Mr. Speaker, I do not know what the city would do. I do not know if the city will even change the current law. It would be up to them to determine a date or even if they would allow them to buy the military service time. This gives them the option of saying, let the city make the decision.

Mr. SERAFINI. Well, thank you for that explanation, Mr. Speaker.

I am going to support this legislation with the understanding that there will be no further financial drain on the city of Scranton as a result of the passage of this legislation. I appreciate the response.

The SPEAKER. The gentleman, Mr. Cawley, desires recognition on this bill. The gentleman is recognized.

The conference immediately in front of the gentleman, Mr. Cawley, please break up.

Mr. CAWLEY. Thank you, Mr. Speaker.

Exactly what this bill will do is, presently the city of Scranton is classified a “distressed municipality.” There are layoffs coming for the city of Scranton with this new budget that will be presented December 15.

This bill will give the governing body – that is the mayor and council – the right to implement military time toward persons’ pensions if they in fact were in the military. What this means, Mr. Speaker, if there are 15 people in the city that presently can use military time toward their pension once this is implemented by the governing body in the city of Scranton, that means that 15 people will not have to be laid off, because the ones using the military time, going out and retiring using that military time, they will not be replaced.

So this is very, very important to people working in the city of Scranton, whether they be firemen, policemen, or nonuniformed employees. I ask for an affirmative vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Serafini, for the second time on this issue.

Mr. SERAFINI. Mr. Speaker, I have been informed— I must correct my prior statement, because I have been informed that implementation of this legislation would in fact put the city of Scranton in the position whereby they could increase their expenses for that pension fund responsibility. If that were the case, that would once again increase their debt, which has currently required them to assess county residents to support their out-of-control spending.

I cannot support this legislation because of the burden it would put on the people whom I represent in the county surrounding the city of Scranton. Until the city of Scranton gets its financial situation in order, this legislation would do nothing more than create an increased tax to the people I represent.

I cannot support this bill.

The SPEAKER. The Chair recognizes the gentleman, Mr. Cawley, for the second time on the issue.

Mr. CAWLEY. Thank you, Mr. Speaker.

What Representative Serafini just said, it is correct. If five people in the city of Scranton retire using their military time, and by the way, the military time that they can utilize toward their pension is limited. If they put 15 years of active duty in, they can only use 5 years of active duty time toward their pension.

Now, Mr. Serafini is correct. There will be an increase in the pension fund for those persons that are going to retire, so that is going to cost money. But where he is incorrect as far as it costing the commuters more money, it is going to save the commuters money, because those people will not be replaced. And no one up in that city is going to receive 100 percent of their salary; they will not be receiving a 100-percent reimbursement for a pension. So it is actually going to save the commuters money, because those people will not be replaced.

The Pennsylvania Economy League is presently drafting up the recovery plan, and that recovery plan calls for layoffs. So those people that are going to be going out on retirement will not be replaced.

The SPEAKER. Mr. Serafini, you have addressed this issue twice. I apologize, but that is the limit.

Mr. SERAFINI. Mr. Speaker, would I be able to read what was not in front of me at the time, the last example of the fiscal note that shows a \$2-million expense to the city of Scranton?

The SPEAKER. Mr. Cawley went like this. I think that is unanimous consent.

Mr. CAWLEY. Yes.

The SPEAKER. Yes.

Mr. SERAFINI. I appreciate that, Mr. Speaker. I am just trying to get this point clear, because you understand the circumstances surrounding the commuter tax in Lackawanna County.

I am not certain you have a copy of this fiscal note; it was just handed to me, but the last statement states, "As an example of the potential cost of the purchase of service credit for military service provisions, extrapolating from an actuarial study of the police officers' retirement system in another city, the Public Employee Retirement Commission's consulting actuary estimates that the bills could increase the unfunded actuarial accrued liabilities in the City's employee retirement systems for police officers and firefighters by as much as \$2,500,000."

Mr. CAWLEY. Okay.

Mr. SERAFINI. Would you explain that, please?

Mr. CAWLEY. Yes. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Cawley.

Mr. CAWLEY. Thank you, Mr. Speaker.

Recently I talked to Mr. Salomone from the Retirement Study Commission, within the past week. For Representative Serafini's information, that \$3 million is absolutely, totally incorrect. That \$3 million, they have no idea, the Retirement Study Commission or Conrad Siegel, how many people in the city of Scranton can use their military time toward their pension, so what they did, they took every single employee in that municipality and assumed that if all of those people were in the military and used their military time, it would be \$3 million.

Now, that is a direct quote from Mr. Salomone from the Retirement Study Commission, and I will guarantee you, this coming year there is not more than 15 people that have military time that will be retiring. Again, what that will mean is there will be 15 people like me — 50-some years old, 20-some years as an employee, a heavy smoker, ready to drop dead — that are going to take that retirement instead of some young policeman or fireman. They will be able to stay on the job and be able to protect lives, and we will not necessitate a layoff because they will be using that early retirement to get out.

I would appreciate an affirmative vote.

The SPEAKER. Was that a retirement announcement, Mr. Cawley? Was that a retirement announcement?

The gentleman, Mr. Tigue, for the second time.

Mr. TIGUE. Thank you, Mr. Speaker.

Mr. Speaker, the bill we have before us, we can talk about what may happen. The only thing this bill does is give the veterans who are employees in a second-class-A city the same things they have in other cities.

In other words, all this bill does is say you can buy military time. Right now, the second-class-A city code says you must buy military time within 3 years. All this bill does is eliminate that 3 years so that someone who is discharged from the military, who spent 3 or 4 years doing something and then became a policeman or a clerk or whatever, could still buy his or her military time. That is what this bill does. This bill puts Scranton, the veterans who work in the city of Scranton, on a level playing field with all other veterans in all the other municipalities in Pennsylvania.

So I would appreciate if you would support this bill. Thank you, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

## YEAS—172

Allen	DiGirolamo	Lescovitz	Rubley
Argall	Donatucci	Levdansky	Rudy
Armstrong	Druce	Lloyd	Sainato
Bard	Durham	Lucyk	Santoni
Battisto	Egolf	Manderino	Sather
Bebko-Jones	Evans	Markosek	Saylor
Belardi	Fairchild	Marsico	Schuler
Belfanti	Fajt	Masland	Scrimenti
Birmelin	Farmer	Mayernik	Semmel
Bishop	Feese	McCall	Sheehan
Blaum	Fichter	McGeehan	Smith, B.
Boscola	Fleagle	McGill	Snyder, D. W.
Boyes	Flick	Melio	Staback
Browne	Gamble	Merry	Stairs
Bunt	Gannon	Michlovic	Steil
Butkovitz	Geist	Micozzie	Stetler
Buxton	George	Miller	Stish
Caltagirone	Gigliotti	Mundy	Strittmatter
Cappabianca	Gladeck	Nailor	Sturla
Carn	Godshall	Nyce	Surra
Carone	Gordner	O'Brien	Tangretti
Cawley	Gruitza	Olasz	Taylor, E. Z.
Chadwick	Gruppo	Oliver	Taylor, J.
Civera	Habay	Pesci	Thomas
Clark	Haluska	Petrarca	Tigue
Clymer	Hanna	Petrone	Trello
Cohen, L. I.	Hasay	Pettit	Trich
Cohen, M.	Herman	Phillips	True
Colafella	Horsey	Piccola	Tulli
Colaizzo	Itkin	Pistefia	Vance
Conti	Jarolin	Platts	Van Horne
Cornell	Josephs	Preston	Veon
Corpora	Kaiser	Ramos	Vitali
Corrigan	Keller	Raymond	Walko
Cowell	Kenney	Readshaw	Washington
Coy	King	Reber	Waugh
Curry	Kirkland	Reinard	Wogan
Daley	Krebs	Rieger	Wozniak
DeLuca	Kukovich	Roberts	Wright, D. R.
Dempsey	LaGrotta	Robinson	Wright, M. N.
Dent	Laughlin	Roebuck	Yewcic
Dermody	Lederer	Rohrer	Youngblood
DeWeese	Lch	Rooney	Zimmerman

NAYS—23

Adolph	Hershey	Maitland	Smith, S. H.
Baker	Hess	Major	Stern
Barley	Hutchinson	Nickol	Zug
Brown	Jadlowiec	Perzel	
Fargo	L.awless	Pitts	Ryan,
Harhart	l.ynch	Serafini	Speaker
Hennessey			

NOT VOTING—2

Steelman	Williams
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EXCUSED—5

James	Schroder	Shaner	Travaglio
Mihalich			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk present the same to the Senate for concurrence.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today the gifted class from the Montrose Area School District in Susquehanna County. They are here today as the guests of Representative Scot Chadwick and Representative Sandra Major. They are located in the balcony. Would the guests please rise or wave, as the case may be.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1712, PN 2530**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for exemptions from the motorbus road tax.

On the question,  
Will the House agree to the bill on third consideration ?

Mr. **D. R. WRIGHT** offered the following amendment No. **A5233**:

Amend Title, page 1, line 2, inserting after "providing"  
for vehicle registration periods of less than one year  
and

Amend Bill, page 1, lines 6 and 7, by striking out all of said lines and inserting

Section 1. Section 1307 of Title 75 of the Pennsylvania Consolidated Statutes is amended by adding a subsection to read:  
§ 1307. Period of registration.

\*\*\*

(a.1) Seasonal registration.—Upon application on a form prescribed by the department, the owner or lessee of a passenger car, motorcycle, truck or farm vehicle which does not have a gross vehicle weight rating of more than 9,000 pounds may register the vehicle with the department for a period of successive months of less than one year. The applicant

shall specify the period of months during which the vehicle shall be registered. Except when the department initially converts a currently valid annual registration to a seasonal registration, the annual fee prescribed for the vehicle by Chapter 19 (relating to fees) shall be paid in full by the applicant regardless of the number of months chosen for registration by the applicant. Upon receipt of the appropriate fee and the properly completed form, including all information required by this chapter, the department shall issue a seasonal registration that shall expire on the last day of the expiration month chosen by the registrant.

\*\*\*

Section 2. Section 1786(g)(2) of Title 75 is amended and subsection (d) is amended by adding a paragraph to read:  
§ 1786. Required financial responsibility.

\*\*\*

(d) Suspension of registration and operating privilege.—The Department of Transportation shall suspend the registration of a vehicle for a period of three months if it determines the required financial responsibility was not secured as required by this chapter and shall suspend the operating privilege of the owner or registrant for a period of three months if the department determines that the owner or registrant has operated or permitted the operation of the vehicle without the required financial responsibility. The operating privilege shall not be restored until the restoration fee for operating privilege provided by section 1960 (relating to reinstatement of operating privilege or vehicle registration) is paid. Whenever the department revokes or suspends the registration of any vehicle under this chapter, the department shall not restore the registration until the vehicle owner furnishes proof of financial responsibility in a manner determined by the department and submits an application for registration to the department, accompanied by the fee for restoration of registration provided by section 1960. This subsection shall not apply in the following circumstances:

\*\*\*

(3) Insurance coverage which has terminated or financial responsibility which has lapsed simultaneously with, or subsequent to, expiration of a seasonal registration, as provided in section 1307(a.1) (relating to period of registration).

(g) Defenses.—

\*\*\*

(2) No person shall be penalized for maintaining a registered motor vehicle without financial responsibility under subsection (d) if, at the time insurance coverage terminated or financial responsibility lapsed, the registration plate and card were voluntarily surrendered to the department, a full agent designated by the department to accept voluntarily surrendered registration plates and cards pursuant to regulations promulgated by the department or a decentralized service agent appointed by the department. If a seasonal registration, as provided in section 1307(a.1), has been issued for the vehicle, return of the registration plate and card shall be required only if the insurance coverage terminates or financial responsibility lapses prior to the expiration of the seasonal registration. The department, a full agent or the decentralized service agent, as the case may be, shall issue a receipt showing the date that the registration plate and card were received. The designated full agent or the decentralized service agent shall return the registration plate and card to the department accompanied by a copy of the receipt.

\*\*\*

Section 3. Section 9804 of Title 75 is amended by adding a paragraph to read:

Amend Sec. 2, page 2, line 19, by striking out "2" and inserting  
4

Amend Sec. 3, page 2, line 21, by striking out all of said line and inserting

Section 5. This act shall take effect as follows:

(1) The amendment of 75 Pa.C.S. § 9804 shall take effect immediately.

- (2) This section shall take effect immediately.
- (3) The remainder of this act shall take effect in 60 days.

On the question,  
Will the House agree to the amendment?

The SPEAKER. The Chair recognizes Mr. Wright.  
Mr. D. R. WRIGHT. Thank you, Mr. Speaker.

This amendment creates a seasonal license plate. This is an amendment which I had previously presented to the House and then withdrew it at the request of the Department of Transportation, and since then we have had negotiations, and the language that is in this amendment represents the agreement that we have with the Department of Transportation.

The amendment creates a seasonal license plate for Pennsylvanians who only use their vehicle during a portion of the year. The amendment permits the owner to choose the seasonal time period that his or her vehicle will be registered with PennDOT, and the amendment waives the requirement that a person must surrender his or her license plate when the registration expires and insurance coverage is terminated by the owner.

This is an amendment that many of our constituents have been looking for, and I would respectfully ask for an affirmative vote on the amendment.

The SPEAKER. The Chair recognizes the gentleman, Mr. Phillips.

Mr. PHILLIPS. Thank you, Mr. Speaker.

I think this is a good amendment, and I know it has been worked on, it has been redrafted from the last time, and therefore, I would ask the House to support the amendment. Thank you.

On the question recurring,  
Will the House agree to the amendment?

The following roll call was recorded:

YEAS—194

Adolph	Druce	Levdansky	Rudy
Allen	Durham	Lloyd	Sainato
Argall	Egolf	Lucyk	Santoni
Armstrong	Evans	Lynch	Sather
Baker	Fairchild	Maitland	Saylor
Bard	Fajt	Major	Schuler
Barley	Fargo	Manderino	Scriminti
Battisto	Farmer	Markosek	Semmel
Bebko-Jones	Feese	Marsico	Serafini
Belardi	Fichter	Masland	Sheehan
Belfanti	Fleagle	Mayernik	Smith, B.
Birmelin	Flick	McCall	Smith, S. H.
Bishop	Gamble	McGeehan	Snyder, D. W.
Blaum	Gannon	McGill	Staback
Boscola	Geist	Melio	Stairs
Boyes	George	Merry	Steelman
Brown	Gigliotti	Michlovic	Steil
Browne	Gladeck	Micozzie	Stern
Bunt	Godshall	Miller	Stetler
Butkovitz	Gordner	Mundy	Stish
Buxton	Gruitza	Nailor	Strittmatter
Caltagirone	Gruppo	Nickol	Sturla
Cappabianca	Habay	Nyce	Surra
Carn	Haluska	O'Brien	Tangretti
Carone	Hanna	Olasz	Taylor, E. Z.
Cawley	Harhart	Oliver	Taylor, J.
Chadwick	Hasay	Perzel	Thomas
Civera	Hennessey	Pesci	Tigue

Clark	Herman	Petrarca	Trello
Clymer	Hershey	Petrone	Trich
Cohen, L. I.	Hess	Pettit	True
Cohen, M.	Horsey	Phillips	Tulli
Colafella	Hutchinson	Piccola	Vance
Colaizzo	Itkin	Pistella	Van Horne
Conti	Jadlowiec	Pitts	Veon
Cornell	Jarolin	Platts	Vitali
Corpora	Josephs	Preston	Walko
Corrigan	Kaiser	Ramos	Waugh
Cowell	Keller	Raymond	Williams
Coy	Kenney	Readshaw	Wogan
Curry	King	Reber	Wright, D. R.
Daley	Krebs	Reinard	Wright, M. N.
DeLuca	Kukovich	Rieger	Yewcic
Dempsey	LaGrotta	Roberts	Youngblood
Dent	Laughlin	Robinson	Zimmerman
Dermody	Lawless	Roebuck	Zug
DeWeese	Lederer	Rohrer	
DiGirolamo	Leh	Rooney	Ryan, Speaker
Donatucci	Lescovitz	Rubley	

NAYS—0

NOT VOTING—3

Kirkland	Washington	Wozniak
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EXCUSED—5

James	Schroder	Shaner	Travaglio
Mihalich			

The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question,  
Will the House agree to the bill on third consideration as amended?

The SPEAKER. Does the gentleman, Mr. Wright, have another amendment? I had you down, Mr. Wright, for two amendments.

Mr. D. R. WRIGHT. I withdrew the other one, Mr. Speaker, because it had a technical problem.

The SPEAKER. The gentleman, Mr. Wright, withdraws his second amendment.

On the question recurring,  
Will the House agree to the bill on third consideration as amended?

Mr. YEWIC offered the following amendment No. A5258:

Amend Title, page 1, line 2, by inserting after "for" definitions and for

Amend Sec. 1, page 1, line 6, by striking out "Section 9804" and inserting

The definition of "emergency vehicle" in section 102

Amend Sec. 1, page 1, line 7, by striking out "by adding a paragraph"

Amend Sec. 1, page 1, by inserting between lines 7 and 8 § 102. Definitions.

Subject to additional definitions contained in subsequent provisions of this title which are applicable to specific provisions of this title, the



following words and phrases when used in this title shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

\*\*\*

“Emergency vehicle.” A fire department vehicle, police vehicle, sheriff vehicle, ambulance, blood-delivery vehicle, hazardous material response vehicle, armed forces emergency vehicle, one vehicle operated by a coroner or chief county medical examiner and one vehicle operated by a chief deputy coroner or deputy chief county medical examiner used for answering emergency calls, or any other vehicle designated by the State Police under section 6106 (relating to designation of emergency vehicles by Pennsylvania State Police), or a privately owned vehicle used in answering an emergency call when used by any of the following:

- (1) A police chief and assistant chief.
- (2) A fire chief, assistant chief and, when a fire company has three or more fire vehicles, a second or third assistant chief.
- (3) A fire police captain and fire police lieutenant.
- (4) An ambulance corps commander and assistant commander.
- (5) A river rescue commander and assistant commander.
- (6) A county emergency management coordinator.
- (7) A fire marshal.
- (8) A rescue service chief and assistant chief.

\*\*\*

Section 2. Section 9804 of Title 75 is amended by adding a paragraph to read:

Amend Sec. 2, page 2, line 19, by striking out “2” and inserting  
3

Amend Bill, page 2, line 21, by striking out all of said line and inserting

Section 4. This act shall take effect as follows:

- (1) The amendment of the definition of “emergency vehicle” in 75 Pa.C.S. § 102 shall take effect in 120 days.
- (2) The remainder of this act shall take effect immediately.

On the question,  
Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentleman.

Mr. YEWIC. Thank you, Mr. Speaker.

In lieu of the previous amendment, can my amendment now be run with the change in language?

The SPEAKER. Will the gentleman yield.

Conferences on the floor, please break up. The Chair is unable to hear the remarks of the gentleman, Mr. Yewcic. Shortly, if it continues, we will vacate the floor again of all staff people. Please, if a conference is necessary, go to one of the back chambers.

The gentleman, Mr. Yewcic, would you please ask that question again.

Mr. YEWIC. I think it is resolved. I think my amendment can be run. I was asking if my amendment could be run with the previous amendment, with the language in the previous amendment.

**FILMING PERMISSION**

The SPEAKER. The Chair has given the Republican PR photographer the permission to take photographs on the floor.

**CONSIDERATION OF HB 1712 CONTINUED**

The SPEAKER. Mr. Yewcic, it is the belief of the Parliamentarian that your amendment can be accommodated, and on that basis, you are recognized.

Mr. YEWIC. Thank you, Mr. Speaker.

The reason for the amendment, Mr. Speaker, is currently volunteer firefighters have a CDL (commercial driver’s license) exemption to drive fire vehicles and ambulances. However, if the county owns a HAZMAT vehicle, the volunteer fire company who comprises the HAZMAT team in my county cannot drive the HAZMAT vehicle without a CDL exemption. Therefore, what this will do is place “hazardous material response vehicle” in the definition of “emergency vehicle,” so any volunteer fire company within my county who is on that team can drive the HAZMAT vehicle, and I believe the amendment is agreed to by Mr. Phillips.

Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Phillips.

Mr. PHILLIPS. Thank you, Mr. Speaker.

I think this is a good amendment and would ask for your support. Thank you.

On the question recurring,  
Will the House agree to the amendment?

The following roll call was recorded:

**YEAS—197**

Adolph	Durham	Lloyd	Santoni
Allen	Egolf	Lucyk	Sather
Argall	Evans	Lynch	Saylor
Armstrong	Fairchild	Maitland	Schuler
Baker	Fajt	Major	Scrimenti
Bard	Fargo	Manderino	Semmel
Barley	Farmer	Markosek	Serafini
Battisto	Feese	Marsico	Sheehan
Bebko-Jones	Fichter	Masland	Smith, B.
Belardi	Fleagle	Mayernik	Smith, S. H.
Belfanti	Flick	McCall	Snyder, D. W.
Birmelin	Gamble	McGeehan	Staback
Bishop	Gannon	McGill	Stairs
Blaum	Geist	Melio	Steelman
Boscola	George	Merry	Steil
Boyes	Gigliotti	Michlovic	Stern
Brown	Gladeck	Micozzie	Stetler
Browne	Godshall	Miller	Stish
Bunt	Gordner	Mundy	Strittmatter
Butkovitz	Gruitza	Nailor	Sturla
Buxton	Gruppo	Nickol	Surra
Caltagirone	Habay	Nyce	Tangretti
Cappabianca	Haluska	O’Brien	Taylor, E. Z.
Carn	Hanna	Olasz	Taylor, J.
Carone	Harhart	Oliver	Thomas
Cawley	Hasay	Perzel	Tigue
Chadwick	Hennessey	Pesci	Trello
Civera	Herman	Petrarca	Trich
Clark	Hershey	Petrone	True
Clymer	Hess	Pettit	Tulli
Cohen, L. I.	Horsey	Phillips	Vance
Cohen, M.	Hutchinson	Piccola	Van Horne
Colafella	Itkin	Pistella	Veon
Colaizzo	Jadlowiec	Pitts	Vitali
Conti	Jarolin	Platts	Walko
Cornell	Josephs	Preston	Washington
Corpora	Kaiser	Ramos	Waugh
Corrigan	Keller	Raymond	Williams
Cowell	Kenney	Readshaw	Wogan

Coy	King	Reber	Wozniak
Curry	Kirkland	Reinard	Wright, D. R.
Daley	Krebs	Rieger	Wright, M. N.
DeLuca	Kukovich	Roberts	Yewcic
Dempsey	LaGrotta	Robinson	Youngblood
Dent	Laughlin	Roebuck	Zimmerman
Dermody	Lawless	Rohrer	Zug
DeWeese	Lederer	Rooney	
DiGirolamo	Leh	Rubley	Ryan,
Donatucci	Lescovitz	Rudy	Speaker
Druce	Levdansky	Sainato	

NAYS-0

NOT VOTING-0

EXCUSED-5

James	Schroder	Shaner	Travaglio
Mihalich			

The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question recurring,  
Will the House agree to the bill on third consideration as amended?  
Bill as amended was agreed to.

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.  
The question is, shall the bill pass finally?  
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

YEAS-197

Adolph	Durham	Lloyd	Santoni
Allen	Egolf	Lucyk	Sather
Argall	Evans	Lynch	Saylor
Armstrong	Fairchild	Maitland	Schuler
Baker	Fajt	Major	Scrimenti
Bard	Fargo	Manderino	Semmel
Barley	Farmer	Markosek	Serafini
Battisto	Feese	Marsico	Sheehan
Bebko-Jones	Fichter	Masland	Smith, B.
Belardi	Fleagle	Mayernik	Smith, S. H.
Belfanti	Flick	McCall	Snyder, D. W.
Birmelin	Gamble	McGeehan	Staback
Bishop	Gannon	McGill	Stairs
Blaum	Geist	Melio	Steelman
Boscola	George	Merry	Steil
Boyes	Gigliotti	Michlovic	Stern
Brown	Gladeck	Micozzie	Stetler
Browne	Godshall	Miller	Stish
Bunt	Gordner	Mundy	Strittmatter
Butkovitz	Gruitza	Nailor	Sturla
Buxton	Gruppo	Nickol	Surra
Caltagirone	Habay	Nyce	Tangretti
Cappabianca	Haluska	O'Brien	Taylor, E. Z.
Carn	Hanna	Olasz	Taylor, J.
Carone	Harhart	Oliver	Thomas
Cawley	Hasay	Perzel	Tigue
Chadwick	Hennessey	Pesci	Trello
Civera	Herman	Petrarca	Trich
Clark	Hershey	Petrone	True
Clymer	Hess	Petit	Tulli
Cohert, L. I.	Horsey	Phillips	Vance

Cohen, M.	Hutchinson	Piccola	Van Horne
Colaella	Itkin	Pistella	Veon
Colaizzo	Jadlowiec	Pitts	Vitali
Conti	Jarolin	Platts	Walko
Cornell	Josephs	Preston	Washington
Corpora	Kaiser	Ramos	Waugh
Corrigan	Keller	Raymond	Williams
Cowell	Kenney	Readshaw	Wogan
Coy	King	Reber	Wozniak
Curry	Kirkland	Reinard	Wright, D. R.
Daley	Krebs	Rieger	Wright, M. N.
DeLuca	Kukovich	Roberts	Yewcic
Dempsey	LaGrotta	Robinson	Youngblood
Dent	Laughlin	Roebuck	Zimmerman
Dermody	Lawless	Rohrer	Zug
DeWeese	Lederer	Rooney	
DiGirolamo	Leh	Rubley	Ryan,
Donatucci	Lescovitz	Rudy	Speaker
Druce	Levdansky	Sainato	

NAYS-0

NOT VOTING-0

EXCUSED-5

James	Schroder	Shaner	Travaglio
Mihalich			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.  
Ordered, That the clerk present the same to the Senate for concurrence.

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The House proceeded to third consideration of **SB 674, PN 1291**, entitled:

An Act amending the act of February 1, 1966 (1965 P. L. 1656, No. 581), entitled "The Borough Code," providing for budget and tax ordinances.

On the question,  
Will the House agree to the bill on third consideration?

Mr. **ARMSTRONG** offered the following amendment No. **A4709**:

Amend Title, page 1, line 4, by removing the period after "ordinances" and inserting  
and for adoption of property maintenance regulations and standard codes; and eliminating provisions for milk inspection.

Amend Sec. 2, page 3, lines 21 and 22, by striking out all of said lines and inserting

Section 2. Sections 1202(24) and (31) and 1310 of the act, amended October 9, 1967 (P.L. 399, No. 181), are amended to read:

Section 1202. Specific Powers.—The powers of the borough shall be vested in the corporate authorities. Among the specific powers of the borough shall be the following, and in the exercise of any of such powers involving the enactment of any ordinance or the making of any regulation, restriction or prohibition, the borough may provide for the enforcement

thereof and may prescribe penalties for the violation thereof or for the failure to conform thereto:

\*\*\*

(24) Building, housing [and plumbing], property maintenance, plumbing and other regulations. To enact and enforce ordinances relating to buildings and housing, their construction, alteration, extension, repair and maintenance and all facilities and services in or about such buildings or housing, to require that, before any work of construction, alteration, extension, or repair of any building is begun, approval of the plans and specifications therefor be secured; to provide for the inspection of such work of construction, alteration, extension and repair, including the appointment of one or more building inspectors and/or housing inspectors; to prescribe limits wherein none but buildings of noncombustible material and fireproof roofs shall be erected, or substantially reconstructed, or moved thereinto; to provide for enforcement of such regulations by a reasonable fine, and by instituting appropriate actions or proceedings at law, or in equity, to effect the purposes of this provision and ordinances enacted thereunder. Any building [or], housing, or property, or part thereof erected, altered, extended, reconstructed [or], removed, or maintained, contrary to any of the provisions of any ordinance passed for any of the purposes specified in this clause is declared to be a public nuisance and abatable as such.

Any such ordinance may be adopted by reference to a standard building code [or], housing code or other standard codes, or to parts thereof, determined by council, or the provisions of the ordinance may be supplied by reference to a typed or printed building code, [or] housing code or other standard codes, prepared under the direction of or accepted by council, or the provisions may consist of a standard building code [or], housing code or other standard codes, or parts thereof, and also further provisions typed or printed as aforesaid. Such building code [or], housing code or other standard codes shall not be advertised either in advance of or following enactment, by publication of the full text thereof, and, in place of such complete advertisement, an informative notice of intention to consider such proposed building code [or], housing code or other standard codes, and a brief summary, setting forth the principal provisions of such proposed building code [or], housing code or other standard codes in such reasonable detail as will give adequate notice of its contents and a reference to the place or places within the borough where copies of such proposed building code [or], housing code or other standard codes may be examined or obtained shall be published once in one newspaper of general circulation in the borough at least one week and not more than three weeks prior to the presentation of the proposed building code [or], housing code or other standard codes to council. No further advertisement or notice need be published following enactment of the building code [or], housing code or other standard codes. Copies of the building code [or], housing code or other standard codes thus adopted by reference shall be made available to any interested party at the cost thereof, or may be furnished or loaned without charge. Such building code [or], housing code or other standard codes need not be recorded in or attached to the ordinance book, but it shall be deemed to have been legally recorded if the ordinance by which such building code [or], housing code [was] or other standard codes were adopted by reference shall have been recorded, with an accompanying notation stating where the full text of such building code [or], housing code or other standard codes shall have been filed. The procedure set forth relating to the adoption of the building code [or], housing code or other standard codes, by reference, may likewise be adopted in amending, supplementing or repealing any of the provisions of the building code [or], housing code or other standard codes.

To enact suitable ordinances relating to property maintenance and plumbing, in the same manner and to the same effect as herein provided for building [and] codes, housing codes or other standard codes. The building code, the property maintenance code, the housing code and the plumbing code may be combined or separately enacted or combined with other standard codes.

Any [housing] ordinance previously enacted by a borough which provides for the purposes authorized by this clause is hereby validated.

\*\*\*

(31) Markets, market houses[,] and peddling [and milk inspection]. To regulate markets and peddling, whether for individual use or for resale[, and to provide for the inspection of milk]; and to purchase and own ground for and to erect, establish and maintain market houses and market places, for which latter purposes, parts of any streets or sidewalks may be temporarily used; to contract with any person or persons, or association of persons, companies, or corporations, for the erection, maintenance and regulation of market houses and market places, on such terms and conditions, and in such manner, as the council may prescribe; to provide and enforce suitable regulations respecting said market houses and market places and to provide for the payment of the cost or expense thereof, either in whole or in part, out of the funds of the borough; and to levy and collect a suitable license fee from every person who may be authorized by council to occupy any portion of said market houses or market places, or any portion of the streets or sidewalks for temporary market purposes.

\*\*\*

On the question,  
Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman, Mr. Armstrong.

Mr. ARMSTRONG. Thank you.

A number of municipalities, boroughs specifically, already have basically passed ordinances for property maintenance such as weed control, vector control. However, there is no statutory authority. It is implied, but it is not actually in law. So this amendment just makes it statutorily correct.

This has been favored by the Boroughs Association for many years. It has been in a number of pieces of legislation, one of which might even be coming up yet today. But we need to get this passed here to make sure that it is very clear that the boroughs have the authority to be involved in property maintenance ordinances, and I encourage your support for this amendment. Thank you.

The SPEAKER. On the question, the Chair recognizes the gentleman from Westmoreland, Mr. Van Horne.

Mr. VAN HORNE. Thank you, Mr. Speaker.

On behalf of some of the members on our side of the aisle, I would encourage support for Representative Armstrong's amendment. Many of you have been interested in the other issue regarding HB 701, and with the passage of the Armstrong amendment, we would solve a lot of the problems associated with that legislation, so I would encourage all our members to support the Armstrong amendment here today. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,  
Will the House agree to the amendment?

The following roll call was recorded:

YEAS—197

Adolph	Durham	Lloyd	Santoni
Allen	Egolf	Lucyk	Sather
Argall	Evans	Lynch	Saylor
Armstrong	Fairchild	Maitland	Schuler
Baker	Fajt	Major	Scrimenti
Bard	Fargo	Manderino	Semmel
Barley	Farmer	Markosek	Serafini
Battisto	Feese	Marsico	Sheehan
Bebko-Jones	Fichter	Masland	Smith, B.

Belardi	Fleagle	Mayernik	Smith, S. H.
Belfanti	Flick	McCall	Snyder, D. W.
Birmelin	Gamble	McGeehan	Staback
Bishop	Gannon	McGill	Stairs
Blaum	Geist	Melio	Steelman
Boscola	George	Merry	Steil
Boyes	Gigliotti	Michlovic	Stern
Brown	Gladeck	Micozzie	Stetler
Browne	Godshall	Miller	Stish
Bunt	Gordner	Mundy	Strittmatter
Butkovitz	Gruitza	Nailor	Surla
Buxton	Gruppo	Nickol	Surra
Caltagirone	Habay	Nyce	Tangretti
Cappabianca	Haluska	O'Brien	Taylor, E. Z.
Carn	Hanna	Olasz	Taylor, J.
Carone	Harhart	Oliver	Thomas
Cawley	Hasay	Perzel	Tigue
Chadwick	Hennessey	Pesci	Trello
Civera	Herman	Petrarca	Trich
Clark	Hershey	Petrone	True
Clymer	Hess	Pettit	Tulli
Cohen, L. I.	Horsey	Phillips	Vance
Cohen, M.	Hutchinson	Piccola	Van Horne
Colafranca	Itkin	Pistella	Veon
Colaizzo	Jadlowiec	Pitts	Vitali
Conti	Jarolin	Platts	Walko
Cornell	Josephs	Preston	Washington
Corpora	Kaiser	Ramos	Waugh
Corrigan	Keller	Raymond	Williams
Cowell	Kenney	Readshaw	Wogan
Coy	King	Reber	Wozniak
Curry	Kirkland	Reinard	Wright, D. R.
Daley	Krebs	Rieger	Wright, M. N.
DeLuca	Kukovich	Roberts	Yewcic
Dempsey	LaGrotta	Robinson	Youngblood
Dent	Laughlin	Roebuck	Zimmerman
Dermody	Lawless	Rohrer	Zug
DeWeese	Lederer	Rooney	
DiGirolamo	Leh	Rublely	Ryan,
Donatucci	Lescovitz	Rudy	Speaker
Druce	Levdanský	Sainato	

NAYS-0

NOT VOTING-0

EXCUSED-5

James                      Schroder                      Shaner                      Travaglio  
Mihalich

The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question,

Will the House agree to the bill on third consideration as amended?

**BILL PASSED OVER TEMPORARILY**

The SPEAKER. It is the understanding of the Chair that the Mayernik amendments are not ready to be considered. Accordingly, this bill is now placed over temporarily. We will come back to it this afternoon.

**BILL ON CONCURRENCE  
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 701, PN 2591**, entitled:

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, providing for adoption of property maintenance regulations and standard codes; eliminating provisions for milk inspection; and further providing for the manufacture and purchase of electricity.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. The gentleman, Mr. Merry, desires recognition. The gentleman is recognized.

Mr. MERRY. Mr. Speaker, this bill, when it left the House, concerned only milk inspection by boroughs. It was further amended in the Senate, and we are now being asked to concur in their amendments.

The additions that the Senate has made only apply to boroughs that want to be in the business of selling electricity. As I understand it, there are a few of these boroughs that do sell electricity, and it is not clear whether they have to have a voter referendum or not to borrow money for the building or the expansion of these electric plants, and this amendment that the Senate has added does make provision that the borough does have to have a referendum on borrowing the extra money to enlarge the electric plant or to purchase the property to do it. Thank you, sir.

The SPEAKER. The Chair thanks the gentleman.

**BILL RECOMMENDED**

The SPEAKER. Mr. Van Horne.

Mr. VAN HORNE. Mr. Speaker, on the issue of concurrence, I would like to ask of the Chair if it would be appropriate at this time, because of the language that was just explained by Representative Merry, if I could make a motion to have this bill recommitted to the Local Government Committee.

The SPEAKER. The question before the House is the motion of the gentleman, Mr. Van Horne, to recommit the bill - that is, HB 701 - to the Local Government Committee. Is that correct?

Mr. VAN HORNE. Yes, it is.

On the question,

Will the House agree to the motion?

The SPEAKER. On the question of recommitment, the gentleman, Mr. Armstrong.

Mr. ARMSTRONG. I am in support of the recommitment motion. I think what happened in the Senate was that it basically deals with just one borough. It does not deal with a lot of other boroughs. It is my understanding that there are some other idiosyncrasies involved with this bill that we need to take a look at before we move it any further on the House floor, so I am supportive of recommitting it.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—187

Adolph	Fairchild	Lynch	Sather
Allen	Fajt	Maitland	Saylor
Argall	Farmer	Major	Schuler
Armstrong	Feese	Manderino	Scrimenti
Baker	Fichter	Markosek	Semmel
Bard	Fleagle	Marsico	Serafini
Battisto	Flick	Masland	Sheehan
Bebko-Jones	Gamble	Mayernik	Smith, B.
Belardi	Gannon	McCall	Smith, S. H.
Belfanti	Geist	McGeehan	Snyder, D. W.
Birmelin	Gigliotti	McGill	Staback
Bishop	Gladeck	Melio	Stairs
Blaum	Godshall	Merry	Steelman
Boscola	Gordner	Michlovic	Steil
Boyes	Gruitza	Micozzie	Stern
<i>Brown</i>	<i>Gruppo</i>	Miller	Stetler
Browne	Habay	Mundy	Stish
Bunt	Haluska	Nailor	Strittmatter
Butkovitz	Hanna	Nickol	Sturla
Buxton	Harhart	Nyce	Tangretti
Caltagirone	Hasay	O'Brien	Taylor, E. Z.
Cappabianca	Hennessey	Olasz	Taylor, J.
Carn	Herman	Oliver	Thomas
Carone	Hershey	Pesci	Tigue
Cawley	Hess	<i>Petrarca</i>	Trello
Chadwick	Horsey	Petrone	Trich
Civera	Hutchinson	Pettit	True
Clark	Itkin	Phillips	Tulli
Clymer	Jadlowiec	Piccola	Vance
Cohen, L. I.	Jarolin	Pistella	Van Home
Cohen, M.	Josephs	Pitts	Veon
Conti	Kaiser	Platts	Vitali
Cornell	Keller	Preston	Walko
Corpora	Kenney	Ramos	<i>Washington</i>
Corrigan	King	Raymond	Waugh
Cowell	Kirkland	Readshaw	Williams
Coy	Krebs	Reber	Wogan
Curry	Kukovich	Reinard	Wozniak
Daley	LaGrotta	Rieger	Wright, D. R.
DeLuca	Laughlin	Roberts	Wright, M. N.
Dempsey	Lawless	Roebuck	Yewcic
Dermody	Lederer	Rohrer	Youngblood
DeWeese	Leh	Rooney	Zimmerman
DiGirolamo	Lescovitz	Rubley	Zug
Donatucci	Levdansky	Rudy	
Druce	Lloyd	Sainato	Ryan,
<i>Egolf</i>	Lucyk	Santoni	Speaker
Evans			

NAYS—9

Barley	Dent	Fargo	Perzel
Colaifella	Durham	George	Surra
Colaizzo			

NOT VOTING—1

Robinson

EXCUSED—5

James	Schroder	Shaner	Travaglio
Mihalich			

The majority having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. We seldom anymore recognize the birthdays of our members. We recognize only the birthdays of very important people such as Christopher Columbus, and I hope St. Patrick at the appropriate time. But just such a person has joined us, Mr. Michael Ross, Mike Ross, who today is 73 years old. He has a wonderful voice, but I do not think it would be appropriate to have him sing "Happy Birthday" to himself, and none of us have the voice to do it, so we will pass that opportunity up, Mike, and we express our best wishes to you for another 73 years.

RESOLUTION

Mr. BUNT called up HR 185, PN 2284, entitled:

A Resolution requesting the United States Department of Agriculture to correct certain unfair and misleading labeling of food.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

Adolph	Durham	Lloyd	Santoni
Allen	Egolf	Lucyk	Sather
Argall	Evans	Lynch	Saylor
Armstrong	Fairchild	Maitland	Schuler
Baker	Fajt	Major	Scrimenti
Bard	Fargo	Manderino	Semmel
Barley	Farmer	Markosek	Serafini
Battisto	Feese	Marsico	Sheehan
Bebko-Jones	Fichter	Masland	Smith, B.
Belardi	Fleagle	Mayernik	Smith, S. H.
Belfanti	Flick	McCall	Snyder, D. W.
Birmelin	Gamble	McGeehan	Staback
Bishop	Gannon	McGill	Stairs
Blaum	Geist	Melio	Steelman
Boscola	George	Merry	Steil
Boyes	<i>Gigliotti</i>	<i>Michlovic</i>	<i>Stern</i>
Brown	Gladeck	Micozzie	Stetler
Browne	Godshall	Miller	Stish
Bunt	Gordner	Mundy	Strittmatter
Butkovitz	Gruitza	Nailor	Sturla
Buxton	Gruppo	Nickol	Surra
Caltagirone	Habay	Nyce	Tangretti
Cappabianca	Haluska	O'Brien	Taylor, E. Z.
Carn	Hanna	Olasz	Taylor, J.
Carone	Harhart	Oliver	Thomas
Cawley	Hasay	Perzel	Tigue
Chadwick	Hennessey	Pesci	Trello
Civera	Herman	<i>Petrarca</i>	Trich
Clark	Hershey	Petrone	True
Clymer	Hess	Pettit	Tulli
Cohen, L. I.	Horsey	Phillips	Vance
Cohen, M.	Hutchinson	Piccola	Van Home
Colaifella	Itkin	Pistella	Veon
Colaizzo	Jadlowiec	Pitts	Vitali
Conti	Jarolin	Platts	Walko
Cornell	Josephs	Preston	Washington
Corpora	Kaiser	Ramos	Waugh
Corrigan	Keller	Raymond	Williams
Cowell	Kenney	Readshaw	Wogan
Coy	King	Reber	Wozniak
Curry	Kirkland	Reinard	Wright, D. R.
Daley	Krebs	Rieger	Wright, M. N.
DeLuca	Kukovich	Roberts	Yewcic

Dempsey	LaGrotta	Robinson	Youngblood
Dent	Laughlin	Roebuck	Zimmerman
Dermody	Lawless	Rohrer	Zug
DeWeese	Lederer	Rooney	
DiGirolamo	Leh	Rubley	Ryan,
Donatucci	Lescovitz	Rudy	Speaker
Druce	Levdansky	Sainato	

NAYS-0

NOT VOTING-0

EXCUSED-5

James	Schroder	Shaner	Travaglio
Mihalich			

The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

RESOLUTION PURSUANT TO RULE 35

Ms. BEBKO-JONES called up HR 228, PN 2590, entitled:

A Resolution proclaiming the month of October as "Domestic Violence Awareness Month."

On the question,  
Will the House adopt the resolution ?

The following roll call was recorded:

YEAS-195

Adolph	Egolf	Lloyd	Sainato
Allen	Evans	Lucyk	Santoni
Argall	Fairchild	Lynch	Sather
Armstrong	Fajt	Maitland	Saylor
Baker	Fargo	Major	Schuler
Bard	Farmer	Manderino	Scrimenti
Barley	Feese	Markosek	Semmel
Battisto	Fichter	Marsico	Serafini
Bebko-Jones	Fleagle	Masland	Sheehan
Belardi	Flick	Mayernik	Smith, B.
Belfanti	Gamble	McCall	Smith, S. H.
Birmelin	Gannon	McGeehan	Snyder, D. W.
Bishop	Geist	McGill	Staback
Blaum	George	Melio	Stairs
Boscola	Gigliotti	Merry	Steelman
Boyes	Gladeck	Michlovic	Steil
Brown	Godshall	Micozzie	Stern
Browne	Gordner	Miller	Stetler
Bunt	Gruitza	Mundy	Stish
Butkovitz	Gruppo	Nailor	Strittmatter
Buxton	Habay	Nickol	Sturla
Caltagirone	Haluska	Nyce	Surra
Cappabianca	Hanna	O'Brien	Tangretti
Carone	Harhart	Olasz	Taylor, E. Z.
Cawley	Hasay	Oliver	Taylor, J.
Chadwick	Hennessey	Perzel	Thomas
Civera	Herman	Pesci	Tigue
Clark	Hershey	Petrarca	Trello
Clymer	Hess	Petrone	Trich
Cohen, L. I.	Horsey	Pettit	True
Cohen, M.	Hutchinson	Phillips	Tulli
Colafella	Itkin	Piccola	Vance
Colaizzo	Jadlowiec	Pistella	Van Horne
Conti	Jarolin	Pitts	Veon

Cornell	Josephs	Platts	Vitali
Corpora	Kaiser	Preston	Walko
Corrigan	Keller	Ramos	Washington
Cowell	Kenney	Raymond	Waugh
Coy	King	Readshaw	Wogan
Curry	Kirkland	Reber	Wozniak
Daley	Krebs	Reinard	Wright, D. R.
DeLuca	Kukovich	Rieger	Wright, M. N.
Dempsey	LaGrotta	Roberts	Yewcic
Dent	Laughlin	Robinson	Youngblood
Dermody	Lawless	Roebuck	Zimmerman
DeWeese	Lederer	Rohrer	Zug
DiGirolamo	Leh	Rooney	
Donatucci	Lescovitz	Rubley	Ryan,
Druce	Levdansky	Rudy	Speaker
Durham			

NAYS-0

NOT VOTING-2

Carn	Williams		
James	Schroder	Shaner	Travaglio
Mihalich			

EXCUSED-5

The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

RESOLUTIONS

RESOLUTIONS PASSED OVER

The SPEAKER. The balance of the resolutions on page 5 are over for the day.  
The balance of the resolutions on page 6 are over.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House, as the guest of Representative Jerry Nailor, Anne Stewert, who is a guest page from the New Cumberland Middle School. She is here in the front of the House. Would Anne please rise. Anne Stewert.

And as the guests of Representative Al Masland, Lori Winger and Tom Ahrens from the Dickinson School of Law, legislative interns. Would Lori and Tom please rise. Are they still here? They are here to the left of the rostrum.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Chester County, Mr. Pitts, for the purpose of announcing a meeting.

Mr. PITTS. Thank you, Mr. Speaker.

I would like to call a meeting of the House Appropriations Committee immediately at the break in room 243, the Appropriations conference room, in regular session. Thank you.

**HOUSE SCHEDULE**

The SPEAKER. We have not completed voting; we have not completed voting.

Will the majority leader come to the rostrum.

There will be no further votes prior to the luncheon break. We are going to break at this time until 2:30.

Both the Republican and Democrat Caucuses will meet at 1:30, I am advised. These are important caucuses.

**VOTE CORRECTION**

The SPEAKER. The lady, Ms. Steelman.

Ms. STEELMAN. Thank you, Mr. Speaker.

I would like to rise to correct the record.

On HB 1704 my affirmative vote was not recorded.

The SPEAKER. The remarks of the lady will be spread upon the record.

At the conclusion of some of the housekeeping, I will declare the House in recess until 2:30 unless sooner recalled by the Chair.

There will be no further votes now until 2:30. But both the Republican and Democrat caucuses are for 1:30; both Republican and Democrat caucuses are called for 1:30.

**BILLS REPORTED FROM COMMITTEES,  
CONSIDERED FIRST TIME, AND TABLED**

**HB 80, PN 2617** (Amended) By Rep. WOGAN

An Act providing for a home purchase loan program to be administered by the Pennsylvania Housing Finance Agency; and creating the Affordable Housing Trust Fund.

URBAN AFFAIRS.

**HB 582, PN 616** By Rep. WOGAN

An Act amending the act of March 7, 1901 (P.L.20, No.14), referred to as the Second Class City Law, providing for land use appeals.

URBAN AFFAIRS.

**HB 829, PN 914** By Rep. STAIRS

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for school holidays.

EDUCATION.

**HB 905, PN 2615** (Amended) By Rep. PICCOLA

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for involuntary termination of parental rights.

JUDICIARY.

**HB 2066, PN 2616** (Amended) By Rep. PICCOLA

An Act amending the act of March 26, 1931 (P.L.7, No.4), entitled, "An act to cede jurisdiction to the United States over the tracts of lands and buildings occupied, or hereafter to be occupied, by the United States Northeastern Penitentiary, located in and adjacent to the Township of Kelly, County of Union," providing for the ceding of concurrent jurisdiction to the United States for land and facilities occupied by the Federal Bureau of Prisons.

JUDICIARY.

**HB 2079, PN 2583** By Rep. PICCOLA

An Act amending Titles 18 (Crimes and Offenses) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for aggravated assault, for homicide by vehicle and for accidents involving death or personal injury.

JUDICIARY.

**SB 347, PN 359** By Rep. PICCOLA

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for appeals of contempt citations and for the jurisdiction of the Philadelphia Municipal Court.

JUDICIARY.

**SB 806, PN 1485** (Amended) By Rep. PICCOLA

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for security from searches and seizures.

JUDICIARY.

**BILL REREPORTED FROM COMMITTEE,  
CONSIDERED FIRST TIME, AND TABLED**

**SB 652, PN 1486** (Amended) By Rep. WOGAN

An Act amending the act of July 28, 1953 (P. L. 723, No. 230), entitled "Second Class County Code," providing for the collection of taxes on real property from rent payable by tenants; further providing for the collection of tax and municipal claims by suit and for the interest rate on contributions when a person is separated from service; providing for the purchase of credit for service immediately following original employment; further providing for eligibility for retirement allowances and for requirements for credit for previous service; providing for deputy fire marshals; and making a repeal.

URBAN AFFAIRS.

**BILLS REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader, Mr. Perzel.

Mr. PERZEL. Mr. Speaker, I move that HB's 905, 2079, 80, 582, and 829 be removed from the table.

On the question,  
Will the House agree to the motion?  
Motion was agreed to.

**BILLS RECOMMENDED**

The SPEAKER. The Chair recognizes the gentleman, Mr. Perzel.

Mr. PERZEL. Mr. Speaker, I move that HB's 905, 2079, 80, 582, and 829 be recommitted to the Committee on Appropriations.

On the question,  
Will the House agree to the motion?  
Motion was agreed to.

**RECESS**

The SPEAKER. The House will stand in recess until 2:30.

**RECESS EXTENDED**

The time of recess was extended until 3 p.m.

**AFTER RECESS**

The time of recess having expired, the House was called to order.

**THE SPEAKER PRO TEMPORE  
(J. SCOT CHADWICK) PRESIDING**

**SENATE MESSAGE**

**AMENDED HOUSE BILL RETURNED  
FOR CONCURRENCE AND  
REFERRED TO COMMITTEE ON RULES**

The clerk of the Senate, being introduced, returned **HB 1488, PN 2305**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

**SUPPLEMENTAL CALENDAR B**

**RESOLUTION PURSUANT TO RULE 35**

Mr. BROWNE called up **HR 229, PN 2592**, entitled:

A Resolution designating the month of October as "Disability Employment Awareness Month."

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

**YEAS-197**

Adolph	Durham	Lloyd	Santoni
Allen	Egolf	Lucyk	Sather
Argall	Evans	Lynch	Saylor
Armstrong	Fairchild	Maitland	Schuler
Baker	Fajt	Major	Scrimenti
Bard	Fargo	Manderino	Semmel
Barley	Farmer	Markosek	Serafini
Battisto	Feece	Marsico	Sheehan
Bebko-Jones	Fichter	Masland	Smith, B.
Belardi	Fleagle	Mayernik	Smith, S. H.
Belfanti	Flick	McCall	Snyder, D. W.
Birmelfin	Gamble	McGechan	Staback
Bishop	Gannon	McGill	Stairs
Blaum	Geist	Melio	Stefman
Boscola	George	Merry	Steil
Boyes	Gigliotti	Michlovic	Stern
Brown	Gladeck	Micozzie	Stetler
Browne	Godshall	Miller	Stish
Bunt	Gordner	Mundy	Strittmatter
Butkovitz	Gruitza	Nailor	Sturla
Buxton	Gruppo	Nickol	Surra
Caltagirone	Habay	Nyce	Tangretti
Cappabianca	Haluska	O'Brien	Taylor, E. Z.
Carn	Hanna	Olasz	Taylor, J.
Carone	Harhart	Oliver	Thomas
Cawley	Hasay	Perzel	Tigue
Chadwick	Hennessey	Pesci	Trello
Civera	Herman	Petrarca	Trich
Clark	Hershey	Petrone	True
Clymer	Hess	Pettit	Tulli
Cohen, L. 1.	Horsey	Phillips	Vance
Cohen, M.	Hutchinson	Piccola	Van Horne
Colaella	Itkin	Pistella	Veon
Colaizzo	Jadlowiec	Pitts	Vitali
Conti	Jarolin	Platts	Walko
Cornell	Josephs	Preston	Washington
Corpora	Kaiser	Ramos	Waugh
Corrigan	Keller	Raymond	Williams
Cowell	Kenney	Readshaw	Wogan
Coy	King	Reber	Wozniak
Curry	Kirkland	Reinard	Wright, D. R.
Daley	Krebs	Rieger	Wright, M. N.
DeLuca	Kukovich	Roberts	Yewcic
Dempsey	LaGrotta	Robinson	Youngblood
Dent	Laughlin	Roebuck	Zimmerman
Dermody	Lawless	Rohrer	Zug
DeWeese	Lederer	Rooney	
DiGirolamo	Leh	Rubley	Ryan,
Donatucci	Lescovitz	Rudy	Speaker
Druce	Levdansky	Sainato	

**NAYS-0**

**NOT VOTING-0**

**EXCUSED-5**

James	Schroder	Shaner	Travaglio
Mihalich			

The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.



The SPEAKER pro tempore. For what purpose does the gentleman, Mr. Merry, rise?

Mr. MERRY. To call a meeting of the Local Government Committee off the floor.

The SPEAKER pro tempore. We will be taking a break, a short break, after one more resolution. If the gentleman would defer for one more resolution, we will then give you an opportunity to hold that meeting.

Mr. MERRY. That will be in time, but give me the opportunity to make the announcement so that everybody knows about it.

RESOLUTIONS PURSUANT TO RULE 35

Mrs. COHEN called up HR 230, PN 2593, entitled:

A Resolution urging the Governor to designate the week of October 15 through 21, 1995, as "School Bus Safety Week" in Pennsylvania and urging all persons driving in this Commonwealth to exercise constant courtesy and caution when near school buses and to observe the rules of the road regarding school buses, not only during this week but throughout the year.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

Table listing names of members who voted 'YEAS' (197 total). Includes names like Adolph, Allen, Argall, etc.

Table listing names of members who voted 'NAYS' (0 total). Includes names like Curry, Daley, DeLuca, etc.

NAYS-0

NOT VOTING-0

EXCUSED-5

Table listing names of members who were 'EXCUSED' (5 total). Includes names like James, Mihalich, Schroder, etc.

The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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RESOLUTION PASSED OVER TEMPORARILY

The SPEAKER pro tempore. The House will go over HR 231 temporarily.

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair would like to welcome Mr. and Mrs. Foster Walton of Portland, Pennsylvania, who are here as the guests of Representative Leonard Gruppo of Northampton County.

For what purpose does the gentleman, Mr. Gruppo, rise?

Mr. GRUPPO. I appreciate you introducing my guests, Mr. and Mrs. Walton, but as you pointed out, his grandfather was Speaker of the House in 1905 and 1906, which would make him the first Speaker to actually be at this podium.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair would also like to welcome guest page Warren Waybright from the 91st District in Adams County, who is here as the guest of Representative Maitland.

FILMING PERMISSION

The SPEAKER pro tempore. The Chair also wishes to advise the members that he has given permission to John Sanks of channel 6 to videotape floor proceedings.

CALENDAR CONTINUED

CONSIDERATION OF SB 674 CONTINUED

The SPEAKER pro tempore. The Chair returns to page 3 of the regular calendar and recalls up SB 674. The House will recall that we did begin work on that bill this morning and addressed the Armstrong amendment.

On the question recurring,  
Will the House agree to the bill on third consideration as amended?

Mr. MAYERNIK offered the following amendment No. A5098:

Amend Title, page 1, line 4, by removing the period after "ordinances" and inserting

; and further providing for commissions of waterworks.

Amend Bill, page 4, line 7, by striking out all of said line and inserting

Section 3. Sections 2451 and 2452 of the act are amended to read:  
Section 2451. Commission May Be Established.—Whenever any borough owns and maintains waterworks, there may be established in such borough, by ordinance, a commission of waterworks, which shall have the power of a nonprofit corporation, to be composed of either three or five citizens of the borough, appointed by the borough council who shall be known as commissioners of waterworks. At any time after three years from the first appointment of the commissioners of waterworks, the borough may abolish such commission by repealing the ordinance establishing the same, and therefore the terms of the commissioners then in office shall terminate.

Section 2452. Terms of Commissioners; Compensation.—It shall be the duty of the borough council to appoint such commissioners of waterworks. If there are three commissioners, one [of whom] shall be appointed to serve for one year, one for two years, and one for three years; and annually thereafter the council shall appoint one commissioner of waterworks to serve a term of three years. If there are five commissioners, one shall be appointed to serve for one year, one for two years, one for three years, one for four years, and one for five years; and annually thereafter the council shall appoint one commissioner of waterworks to serve a term of five years. The terms of commissioners of waterworks in office on the effective date of this act shall terminate on the effective date of this act. In case of a vacancy the council shall fill the same for the unexpired term. Such commissioners of waterworks shall [not receive any salary] receive a salary set by the council not to exceed four hundred dollars (\$400) per month for their services [as such, but] and shall be reimbursed by the borough for all expenses necessarily incurred in the performance of their duty.

Section 4. This act shall take effect as follows:

(1) The amendment of sections 2451 and 2452 of the act shall take effect in 60 days.

(2) The remainder of this act shall take effect immediately.

On the question,  
Will the House agree to the amendment?

RULES SUSPENDED

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. Mayernik.

Mr. MAYERNIK. Thank you, Mr. Speaker.  
Point of order, if I may.

Instead of running 5098 and 5100, there was some question about the language. I have agreed with individuals to redraft the language to amendment 5271 and make the language a "may" provision.

At this time I would like to suspend the rules for the purpose of offering amendment 5271, which has been agreed to. After successful insertion of that amendment, I would then withdraw amendment 5098 and 5100 only upon successfully amending SB 674 with amendment 5271.

So to be very succinct, again I would like to make a motion to suspend the rules to offer 5271, which has been circulated, Mr. Speaker.

The SPEAKER pro tempore. The gentleman, Mr. Mayernik, moves that the rules be suspended so that he can immediately offer amendment A5271.

On the question,  
Will the House agree to the motion?

The SPEAKER pro tempore. This is only debatable by the leaders or their designees.

For what purpose does the gentleman, Mr. Armstrong, rise?

Mr. ARMSTRONG. I guess I am pretty much ruled out, unless leadership gives me the authority to speak on it.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,  
Will the House agree to the motion?

The following roll call was recorded:

YEAS—188

Adolph	Druce	Levdansky	Sainato
Allen	Durham	Lloyd	Santoni
Argali	Egolf	Lucyk	Sather
Armstrong	Evans	Major	Saylor
Baker	Fairchild	Manderino	Schuler
Bard	Fajt	Markosek	Scrimenti
Barley	Fargo	Marsico	Semmel
Battisto	Farmer	Masland	Serafini
Bebko-Jones	Feese	Mayernik	Shechan
Belardi	Fichter	McCall	Smith, B.
Belfanti	Fleagle	McGeehan	Smith, S. H.
Birmelin	Flick	McGill	Snyder, D. W.
Bishop	Gamble	Melio	Staback
Blaum	Gannon	Merry	Stairs
Boscola	Geist	Michlovic	Stern
Boyes	George	Micozzie	Stetler
Brown	Gigliotti	Miller	Stish
Browne	Gladeck	Mundy	Strittmatter
Bunt	Godshall	Nailor	Sturla
Butkovitz	Gordner	Nickol	Surra
Buxton	Gruitza	Nyce	Tangretti
Caltagirone	Gruppo	O'Brien	Taylor, E. Z.
Cappabianca	Habay	Olasz	Taylor, J.
Carr	Haluska	Oliver	Thomas
Cawley	Harhart	Perzel	Tigue
Chadwick	Hasay	Pesci	Trello
Civera	Hennessey	Petrarca	Trich
Clark	Herman	Petrone	True
Clymer	Hershey	Pettit	Tulli
Cohen, L. I.	Hess	Phillips	Vance
Cohen, M.	Horsey	Piccola	Van Horne
Colaflora	Hutchinson	Picella	Veon
Colaizzo	Itkin	Pitts	Vitali
Conti	Jadlowiec	Preston	Walko

Cornell	Jarolin	Ramos	Washington
Corpora	Josephs	Raymond	Waugh
Corrigan	Kaiser	Readshaw	Wogan
Cowell	Keller	Reber	Wozniak
Coy	Kenney	Reinard	Wright, D. R.
Curry	King	Rieger	Wright, M. N.
Daley	Kirkland	Roberts	Yewcic
DeLuca	Kukovich	Robinson	Youngblood
Dempsey	LaGrotta	Roebuck	Zimmerman
Dent	Laughlin	Rohrer	Zug
Dermody	Lawless	Rooney	
DeWeese	Lederer	Rubley	Ryan, Speaker
DiGirolamo	Leh	Rudy	
Donatucci	Lescovitz		

NAYS-8

Carone	Krebs	Maitland	Steelman
Hanna	Lynch	Platts	Steil

NOT VOTING-1

Williams

EXCUSED-5

James	Schroder	Shaner	Travaglio
Mihalich			

A majority of the members elected to the House having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

BILL PASSED OVER TEMPORARILY

The SPEAKER pro tempore. While the amendment is being duplicated, the Chair will pass over the bill temporarily.

LOCAL GOVERNMENT COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Merry, for the purpose of calling a committee meeting.

Mr. MERRY. Mr. Speaker, I want to make my announcement mainly to those that serve on the House Local Government Committee. We are calling a meeting off the floor that will meet in the post office room or the room just in front of the post office boxes for the purpose of releasing one bill. So if we can get there promptly, we can be right back in business again in a few minutes. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Mr. ARMSTRONG. Mr. Speaker?

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. ARMSTRONG. In reference to the amendment of Representative Mayernik, it has been circulated; it is my understanding it has been circulated. I have a copy of it.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER pro tempore. Does the gentleman, Mr. Browne, seek recognition?

Mr. BROWNE. Yes, Mr. Speaker.

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. BROWNE. Mr. Speaker, I would just like to submit remarks on HR 229 for the record.

The SPEAKER pro tempore. The Chair thanks the gentleman. The remarks will be submitted for the record.

Mr. BROWNE. Thank you, Mr. Speaker.

Mr. BROWNE submitted the following remarks for the Legislative Journal:

Five years ago, Congress passed one of the most historic pieces of legislation designed to change the way this country treats disabled citizens in the workplace. This legislation, the Americans With Disabilities Act, has changed the way of life for countless Americans who are challenged in innumerable ways just to perform their jobs and carve out normal lives for themselves. The going is rough for them every day of their lives, not just once in a while.

What this momentous legislation did for the working disabled and disabled persons as a whole, was many things too numerous to mention before you today. Essentially, through employment programs, access to public accommodations, and the flexibility to travel and communicate more freely, this act has added a rich, new dimension to the phrase "civil rights" for 49 million Americans who must overcome, in some cases, tremendous odds just to put in an 8-hour day at their place of work.

We in this country have been fortunate to witness firsthand the benefits from the priceless experience and talents of our disabled citizens.

I feel it is fitting that through this act we have proclaimed to the world that we in this country are committed to the idea that Americans with disabilities are integral, contributing, productive, and valued citizens of our nation.

It is imperative, in my judgment, that Pennsylvania should be committed to that idea as well. That is why I have sponsored a House resolution proclaiming this month as Disability Employment Awareness Month.

Over the years we have been unfortunate enough to have been victims of a cruel and inaccurate myth: that myth says that disabled persons cannot work and will not work!

Tell that to a man who is blind and is missing his right hand! As documented by the President's Committee on Employment of People with Disabilities, this man was wounded in Vietnam. Following rehabilitation, his motivation to work was so strong that he persuaded a community college to train him as a machinist. He was given a job on a trial basis. On his first day at work, he broke production records and motivated others to do the same.

Yes, his machine was modified to accommodate his disability, but that modification was small, and it was his courage and dedication that did the rest!

Relate the myth to a national restaurant chain who have set up a "Jobs Plus Program." Over two-thirds of the 4,000 participants are persons with mental retardation. The current turnover rate among the disabled employees is a modest 20 percent compared to the higher turnover rate of nondisabled employees. What this has meant is a significant drop in recruitment and training costs.

The myth that says persons with disabilities either cannot or will not work should be dispelled once and for all. Thousands of disabled persons work at jobs every day. One of the disappointing facts is that thousands have skills and abilities and are not being allowed to benefit potential employers.

All over America, people with disabilities are viable, contributing members of this country's economic growth. As we approach the 21st century, success in an ever more competitive global economy means that business and industry must take advantage of each and every resource. They need to identify and tap this invaluable opportunity to employ qualified and dedicated individuals. This means hiring the disabled. It makes good business sense.

Other States are profiting greatly from this experience and employers in all 50 States are finally realizing that some of the best qualified persons to fill job openings are those with disabilities. We critically need the talents, skills, and dedication of each and every citizen if we are to compete economically, and that includes persons who are disabled.

These citizens are members of every race, color, and creed. They represent every national origin and have at their disposal varied proficiencies and competency in many different occupations.

It is not possible to occupy a place of prestige in this country's economy if we throw away the potential contributions that disabled persons can bring, not only to the workplace but also to basic community life. They are a resource that is irreplaceable as well as invaluable.

Nationwide, October represents National Disability Employment Awareness Month. What this signifies is the opportunity for all Pennsylvanians as well as all Americans to appreciate the limitless value and potential of people with disabilities.

This designation also gives us the opportunity to rededicate ourselves to empowering, employing, and further integrating every one of our citizens who must go the extra mile every day. They demonstrate the courage and determination to overcome their physical and emotional challenges to carve out a productive and rewarding life for themselves and their families. It is up to us to provide those opportunities for them.

I therefore urge the unanimous adoption of my resolution, designating October as "Disability Awareness Month In Pennsylvania."

### BILLS REREPORTED FROM COMMITTEE

**HB 1362, PN 2620 (Amended)** By Rep. PITTS

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, authorizing the General Assembly to enact legislation providing for homestead exemptions.

#### APPROPRIATIONS.

**HB 2078, PN 2582** By Rep. PITTS

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, further providing for records of and reports by employers, for contributions and appeals and for ineligibility for compensation; and providing for voluntary Federal income tax withholding.

#### APPROPRIATIONS.

### BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

**HB 232, PN 2621 (Amended)** By Rep. GRUPPO

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for administrative definitions and inspections and for licensing inspections.

#### AGING AND YOUTH.

**HB 418, PN 2622 (Amended)** By Rep. GRUPPO

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further defining "facility"; defining "group child day-care home"; and further providing for fees and for regulations of the Department of Public Welfare.

#### AGING AND YOUTH.

**HB 1947, PN 2623 (Amended)** By Rep. GRUPPO

An Act establishing the Day-Care Facilities Microloan Program; providing for terms and conditions of loans; providing penalties; and making an appropriation.

#### AGING AND YOUTH.

**HB 2063, PN 2624 (Amended)** By Rep. GRUPPO

An Act amending the act of April 27, 1927 (P.L.465, No.299), referred to as the Fire and Panic Act, further providing for smoke detectors in Class VI buildings.

#### AGING AND YOUTH.

**HB 2073, PN 2625 (Amended)** By Rep. GRUPPO

An Act requiring all child day-care facilities in this Commonwealth to have one or more persons competent in first aid techniques and cardiopulmonary resuscitation (CPR) at the facility when one or more children are in care.

#### AGING AND YOUTH.

**HB 2076, PN 2626 (Amended)** By Rep. GRUPPO

An Act providing for the creation of a Statewide Child Day-Care Resource and Referral System in this Commonwealth; and imposing additional responsibilities upon the State Data Center and the Department of Public Welfare.

#### AGING AND YOUTH.

**SB 858, PN 1135** By Rep. PITTS

An Act providing for adoption of capital projects to be financed from current revenues of the Keystone Recreation, Park and Conservation Fund.

#### APPROPRIATIONS.

### BILLS ON SECOND CONSIDERATION

The following bills, having been called up, were considered for the second time and agreed to, and ordered transcribed for third consideration:

**HB 1362, PN 2620; and HB 2078, PN 2582.**

**BILLS REMOVED FROM TABLE**

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I move that the following bills be removed from the table and placed on the active calendar:

- HB 232;
- HB 418;
- HB 1947;
- HB 2063;
- HB 2073;
- HB 2076; and
- SB 858.

On the question,  
Will the House agree to the motion?  
Motion was agreed to.

**BILLS RECOMMITTED**

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I move that the following bills be recommitted to the Committee on Appropriations:

- HB 232;
- HB 418;
- HB 1947;
- HB 2063;
- HB 2073; and
- HB 2076.

On the question,  
Will the House agree to the motion?  
Motion was agreed to.

**CONSIDERATION OF SB 674 CONTINUED**

On the question recurring,  
Will the House agree to the bill on third consideration as amended?

Mr. MAYERNIK offered the following amendment No. A5271:

Amend Title, page 1, line 4, by removing the period after "ordinances" and inserting

; and further providing for commissions of waterworks.

Amend Bill, page 4, line 7, by striking out all of said line and inserting

Section 3. Sections 2451 and 2452 of the act are amended to read:

Section 2451. Commission May Be Established.—Whenever any borough owns and maintains waterworks, there may be established in such borough, by ordinance, a commission of waterworks, which shall have the power of a nonprofit corporation, to be composed of either three or five citizens of the borough, appointed by the borough council who shall be known as commissioners of waterworks. At any time after three years from the first appointment of the commissioners of waterworks, the borough may abolish such commission by repealing the ordinance

establishing the same, and therefore the terms of the commissioners then in office shall terminate.

Section 2452. Terms of Commissioners; Compensation.—It shall be the duty of the borough council to appoint such commissioners of waterworks, if there are three commissioners, one [of whom] shall be appointed to serve for one year, one for two years, and one for three years; and annually thereafter the council shall appoint one commissioner of waterworks to serve a term of three years. If there are five commissioners, one shall be appointed to serve for one year, one for two years, one for three years, one for four years, and one for five years; and annually thereafter the council shall appoint one commissioner of waterworks to serve a term of five years. The terms of commissioners of waterworks in office on the effective date of this act shall terminate on the effective date of this act. In case of a vacancy the council shall fill the same for the unexpired term. Such commissioners of waterworks [shall not receive any salary] may receive a salary set by the council for their services [as such, but] and shall be reimbursed by the borough for all expenses necessarily incurred in the performance of their duty.

Section 4. This act shall take effect as follows:

- (1) The amendment of sections 2451 and 2452 of the act shall take effect in 60 days.
- (2) The remainder of this act shall take effect immediately.

On the question,  
Will the House agree to the amendment?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. Mayernik.

Mr. MAYERNIK. Thank you, Mr. Speaker.

This amendment amends the Borough Code to create two "may" provisions. One is that whenever a borough creates a water commission, they may increase the number of members on the board from three to five. They may have either three or five. It is a "may" provision. And also, they may pay; those individuals may receive a salary by council.

So there are two "may" provisions in this bill. I have worked with other members who had a concern and changed the language to make it strictly "may."

I would ask for an affirmative vote on this amendment, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Armstrong, from Lancaster County.

Mr. ARMSTRONG. Thank you, Mr. Speaker.

The Boroughs Association I know is in favor of this amendment, and I also am in favor. I ask for all of our peers on this side of the aisle to vote in favor of the amendment. Thank you.

On the question recurring,  
Will the House agree to the amendment?

The following roll call was recorded:

**YEAS—197**

Adolph	Durham	Lloyd	Santoni
Allen	Egolf	Lucy	Sather
Argall	Evans	Lynch	Saylor
Armstrong	Fairchild	Maitland	Schuler
Baker	Fajt	Major	Scrimenti
Bard	Fargo	Manderino	Semmel
Barley	Farmer	Markosek	Serafini
Battisto	Feese	Marsico	Sheehan
Bebko-Jones	Fichter	Masland	Smith, B.
Belardi	Fleagle	Mayernik	Smith, S. H.

Belfanti	Flick	McCall	Snyder, D. W.
Birmelin	Gamble	McGeehan	Staback
Bishop	Gannon	McGill	Stairs
Blaum	Geist	Melio	Steelman
Boscola	George	Merry	Steil
Boyes	Gigliotti	Michlovic	Stern
Brown	Gladeck	Micozzie	Stetler
Browne	Godshall	Miller	Stish
Bunt	Gordner	Mundy	Strittmatter
Butkovitz	Gruitza	Nailor	Sturla
Buxton	Gruppo	Nickol	Surra
Caltagirone	Habay	Nyce	Tangretti
Cappabianca	Haluska	O'Brien	Taylor, E. Z.
Carn	Hanna	Olasz	Taylor, J.
Carone	Harhart	Oliver	Thomas
Cawley	Hasay	Perzel	Tigue
Chadwick	Hennessey	Pesci	Trello
Civera	Herman	Petrarca	Trich
Clark	Hershey	Petrone	True
Clymer	Hess	Pettit	Tulli
Cohen, L. I.	Horsy	Phillips	Vance
Cohen, M.	Hutchinson	Piccola	Van Horne
Colaifella	Itkin	Pistella	Veon
Colaizzo	Jadlowiec	Pitts	Vitali
Conti	Jarolin	Platts	Walko
Cornell	Josephs	Preston	Washington
Corpora	Kaiser	Ramos	Waugh
Corrigan	Keller	Raymond	Williams
Cowell	Kenney	Readshaw	Wogan
Coy	King	Reber	Wozniak
Curry	Kirkland	Reinard	Wright, D. R.
Daley	Krebs	Rieger	Wright, M. N.
DeLuca	Kukovich	Roberts	Yewcic
Dempsey	LaGrotta	Robinson	Youngblood
Dent	Laughlin	Roebuck	Zimmerman
Dermody	Lawless	Rohrer	Zug
DeWeese	Lederer	Rooney	
DiGirolamo	Leh	Rubley	Ryan,
Donatucci	Lescovitz	Rudy	Speaker
Druce	Levdansky	Sainato	

NAYS-0

NOT VOTING-0

EXCUSED-5

James	Schroder	Shaner	Travaglio
Mihalich			

The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question recurring,  
Will the House agree to the bill on third consideration as amended?

AMENDMENTS WITHDRAWN

The SPEAKER pro tempore. Does the gentleman, Mr. Mayernik, have additional amendments?

Mr. MAYERNIK. Mr. Speaker, at this time I would like to withdraw amendment 5098 and amendment 5100, and I have no additional amendments.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,  
Will the House agree to the bill on third consideration as amended?  
Bill as amended was agreed to.

The SPEAKER pro tempore. This bill has been considered on three different days and agreed to and is now on final passage.  
The question is, shall the bill pass finally?

On that question, the Chair recognizes the gentleman from Erie County, Mr. Scrimenti.

Mr. SCRIMENTI. Thank you, Mr. Speaker.

Mr. Speaker, I stand in opposition to this bill.

I believe this bill usurps the authority of the mayor with the current powers that he does possess. It takes away the veto powers that he has on the budget and only allows him to veto a tax increase.

I believe for this reason and for the reason to permit the mayor to serve as a check and balance in local government, I think we need to vote down this bill. Thank you.

On the question recurring,  
Shall the bill pass finally?

The SPEAKER pro tempore. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

YEAS-190

Adolph	Durham	Lescovitz	Rubley
Allen	Egolf	Levdansky	Rudy
Argall	Evans	Lucyk	Sainato
Armstrong	Fairchild	Lynch	Santoni
Baker	Fajt	Maitland	Sather
Bard	Fargo	Major	Saylor
Barley	Farmer	Manderino	Schuler
Battisto	Feese	Markosek	Semmel
Belardi	Fichter	Marsico	Serafini
Belfanti	Fleagle	Masland	Sheehan
Birmelin	Flick	Mayernik	Smith, B.
Bishop	Gamble	McCall	Smith, S. H.
Blaum	Gannon	McGeehan	Snyder, D. W.
Boscola	Geist	McGill	Staback
Boyes	George	Melio	Stairs
Brown	Gigliotti	Merry	Steelman
Browne	Gladeck	Michlovic	Steil
Bunt	Godshall	Micozzie	Stern
Butkovitz	Gordner	Miller	Stetler
Buxton	Gruitza	Mundy	Stish
Caltagirone	Gruppo	Nailor	Strittmatter
Carn	Habay	Nickol	Sturla
Carone	Haluska	Nyce	Surra
Cawley	Hanna	O'Brien	Tangretti
Chadwick	Harhart	Olasz	Taylor, E. Z.
Civera	Hasay	Oliver	Taylor, J.
Clark	Hennessey	Perzel	Thomas
Clymer	Herman	Pesci	Trello
Cohen, L. I.	Hershey	Petrarca	Trich
Cohen, M.	Hess	Petrone	True
Colaifella	Horsy	Pettit	Tulli
Colaizzo	Hutchinson	Phillips	Vance
Conti	Itkin	Piccola	Van Horne
Cornell	Jadlowiec	Pistella	Veon
Corpora	Jarolin	Pitts	Walko
Corrigan	Josephs	Platts	Washington
Cowell	Kaiser	Preston	Waugh
Coy	Keller	Ramos	Williams
Curry	Kenney	Raymond	Wogan
Daley	King	Readshaw	Wozniak

DeLuca	Kirkland	Reber	Wright, D. R.
Dempsey	Krebs	Reinard	Wright, M. N.
Dent	Kukovich	Rieger	Youngblood
Dermody	LaGrotta	Roberts	Zimmerman
DeWeese	Laughlin	Robinson	Zug
DiGiroalamo	Lawless	Roebuck	
Donatucci	Lederer	Rohrer	Ryan,
Druce	Leh	Rooney	Speaker

NAYS-7

Bebko-Jones	Lloyd	Tigue	Yewcic
Cappabianca	Scrimenti	Vitali	

NOT VOTING-0

EXCUSED-5

James	Schroder	Shaner	Travaglio
Mihalich			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

\*\*\*

The House proceeded to third consideration of **HB 455, PN 2299**, entitled:

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, further providing for collection of taxes.

On the question,  
Will the House agree to the bill on third consideration?  
Bill was agreed to.

The SPEAKER pro tempore. This bill has been considered on three different days and agreed to and is now on final passage.

The question is, shall the bill pass finally?

On that question, the Chair recognizes the gentleman from Allegheny County, Mr. DeLuca.

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, first of all, I want to thank the Republican leadership for letting this bill out. It pertains to one municipality in Allegheny County which I represent which has 53,000 people in it. It is a very important bill for this community. So I want to thank the Republican leadership for permitting this bill to come out even though it is a controversial bill that amendments could have been attached to.

I also want to thank Representative Hasay, Representative Stetler, and Representative Kukovich for their willingness to withdraw their amendments to be able to run this bill.

HB 455 addresses an issue pertaining to the municipality of Penn Hills which has been detrimental not only to the business community but also to the taxpayers of the municipality of Penn Hills.

Hopefully, this will correct the situation to establish fairness, establish accountability on behalf of the taxpayers and the business community. The residents of the municipality support it, the news media overwhelmingly supports it, and the business community supports it. Therefore, I would firmly appreciate this body's vote for HB 455. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the majority whip, the gentleman from Lancaster County, Mr. Barley. Mr. BARLEY. Thank you, Mr. Speaker.

Again I concur with the remarks of the gentleman, Representative DeLuca, and it is always a pleasure to work with Representative DeLuca when we can. I also want to commend the sponsors of the amendments on both sides of the aisle that were willing to withdraw their amendments.

Just by way of a bit of explanation, I realize the bill was marked over for the day, but it was a result of the cooperation we received from all sides that we were able to move ahead and vote for it.

And again, it is, I realize, important to the local folks out there, and we were very pleased to be able to accommodate those needs.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,  
Shall the bill pass finally?

The SPEAKER pro tempore. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

YEAS-197

Adolph	Durham	Lloyd	Santoni
Allen	Egolf	Lucyk	Sather
Argall	Evans	Lynch	Saylor
Armstrong	Fairchild	Maitland	Schuler
Baker	Fajt	Major	Scrimenti
Bard	Fargo	Manderino	Semmel
Barley	Farmer	Markosek	Serafini
Battisto	Feese	Marsico	Sheehan
Bebko-Jones	Fichter	Masland	Smith, B.
Belardi	Fleagle	Mayernik	Smith, S. H.
Belfanti	Flick	McCall	Snyder, D. W.
Birmelin	Gamble	McGeehan	Staback
Bishop	Gannon	McGill	Stairs
Blaum	Geist	Melio	Steelman
Boscola	George	Merry	Steil
Boyes	Gigliotti	Michlovic	Stern
Brown	Gladeck	Micozzie	Stetler
Browne	Godshall	Miller	Stish
Bunt	Gordner	Mundy	Strittmatter
Butkovitz	Gruitza	Nailor	Sturla
Buxton	Gruppo	Nickol	Surra
Caltagirone	Habay	Nyce	Tangretti
Cappabianca	Haluska	O'Brien	Taylor, E. Z.
Carn	Hanna	Olasz	Taylor, J.
Carone	Harhart	Oliver	Thomas
Cawley	Hasay	Pezel	Tigue
Chadwick	Hennessey	Pesci	Trello
Civera	Herman	Petrarca	Trich
Clark	Hershey	Petrone	Truec
Clymer	Hess	Petit	Tulli
Cohen, L. I.	Horsey	Phillips	Vance
Cohen, M.	Hutchinson	Piccola	Van Horne
Colafiglia	Itkin	Pistiella	Veon
Colaizzo	Jadlowiec	Pitts	Vitali
Conti	Jarolin	Platts	Walko
Cornell	Josephs	Preston	Washington
Corpora	Kaiser	Ramos	Waugh
Corrigan	Keller	Raymond	Williams
Cowell	Kenney	Readshaw	Wogan

Coy	King	Reber	Wozniak
Curry	Kirkland	Reinard	Wright, D. R.
Daley	Krebs	Rieger	Wright, M. N.
DeLuca	Kukovich	Roberts	Yewcic
Dempsey	LaGrotta	Robinson	Youngblood
Dent	Laughlin	Roebuck	Zimmerman
Dermody	Lawless	Rohrer	Zug
DeWeese	Lederer	Rooney	
DiGirolamo	Leh	Rublely	Ryan,
Donatucci	Lescovitz	Rudy	Speaker
Druce	Levdansky	Sainato	

NAYS-0

NOT VOTING-0

EXCUSED-5

James	Schroder	Shaner	Travaglio
Mihalich			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk present the same to the Senate for concurrence.

**LEAVE OF ABSENCE CANCELED**

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Itkin, who asks that the gentleman, Mr. JAMES, be added to the master roll.

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **SB 282, PN 1136**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for buying or exchanging Federal food order coupons, stamps, authorization cards or access devices and for fraudulent traffic in food orders.

On the question,  
Will the House agree to the bill on third consideration?

Mr. **LLOYD** offered the following amendment No. **A5136**:

Amend Title, page 1, line 5, by removing the period after "orders" and inserting

; prohibiting the operation of certain establishments; and providing for local option.

Amend Bill, page 3, by inserting between lines 27 and 28

Section 2. Title 18 is amended by adding a section to read:

§ 7328. Operation of certain establishments prohibited without local option.

(a) Offense defined.—A person commits a misdemeanor of the third degree if he operates an establishment commonly referred to as a bottle club in a municipality or part of a split municipality where the operation of such establishments has been disapproved by the voters in accordance with subsection (b).

(b) Local option; election to be held.—

(1) In any municipality or any part of a municipality where such municipality is split so that each part is separated by another municipality, an election may be held on the date of the primary election immediately preceding any municipal election, but not more than once in four years, to determine the will of the electors with respect to prohibiting the operation, within the limits of the municipality or part of a split municipality, of establishments commonly referred to as bottle clubs. Where an election shall have been held at the primary election preceding a municipal election in any year, another election may be held under the provisions of this subsection at the primary election occurring the fourth year after such prior election. Whenever electors equal to at least 25% of the highest vote cast for any office in the municipality or part of a split municipality at the last preceding general election shall file a petition with the county board of elections of the county, or the governing body of the municipality adopts by majority vote a resolution to place the question on the ballot and a copy of the resolution is filed with the board of elections of the county, for a referendum on the question of prohibiting the operation of establishments commonly referred to as bottle clubs, the said county board of elections shall cause a question to be placed on the ballot or on the voting machine board and submitted at the primary election immediately preceding the municipal election. The question shall be in the following form:

Do you favor the prohibition of the operation of establishments, commonly referred to as bottle clubs in ( ) of ( )?

(2) In the case of a tie vote, the status quo shall obtain. If a majority of the electors voting on the question votes "yes," then an establishment commonly referred to as a bottle club shall not be operated in the municipality or part of a split municipality after 30 days from the certification of the vote on the question; but if a majority of the electors voting on the question votes "no," then the operation of these establishments shall be permitted in the municipality or part of a split municipality, unless and until at a later election a majority of the voting electors votes "yes" on the question.

(3) Proceedings under this subsection shall be in accordance with the provisions of the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code.

(c) Definition.—As used in this section, the term "bottle club" means an establishment operated for profit or pecuniary gain, with a capacity for the assemblage of 20 or more persons, in which no alcoholic liquors, alcohol or malt and brewed beverages are sold but where alcoholic liquors, alcohol or malt and brewed beverages are either provided by the operator or agents or employees of the operator for consumption on the premises or are brought into or kept at the establishment by the patrons or persons assembling there for use and consumption. The term shall not include a licensee under the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code.

Amend Sec. 2, page 3, line 28, by striking out "2" and inserting  
3

On the question,  
Will the House agree to the amendment?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. Lloyd, from Somerset County.

Mr. **LLOYD**. Thank you, Mr. Speaker.

Mr. Speaker, this amendment deals with the question of the operation of bottle clubs, and specifically, the amendment would make it a misdemeanor of the third class to operate a bottle club in a municipality in which the voters had decided in a referendum that they did not want bottle clubs to operate.



Under the procedure, if there were a referendum and the vote were to prohibit bottle clubs, an existing club would be given 30 days to phase out after the vote had been certified. If the vote were against the referendum, then the bottle club could continue to exist, and a tie vote would go in favor of the continued existence of the club.

The procedure for getting onto the ballot parallels the procedure which is used for wet/dry elections right now, that the municipality may put the question on the ballot or 25 percent of the voters in the last election may put the question on the ballot. The election would occur no more frequently than once in every 4 years, and it would be in a primary election.

Mr. Speaker, this would be a local option. It is a way to deal with the problem of what some tavern owners perceive to be unfair competition where they have to follow rules which bottle clubs do not, they have to adhere to quotas which bottle clubs do not, and also in some municipalities there had been objections to some of the activities which have occurred at these clubs. I think the best way to resolve that problem is to let the local people decide.

I would ask for an affirmative vote on the amendment.

On the question recurring,  
Will the House agree to the amendment?

The following roll call was recorded:

YEAS-197

Adolph	Durham	Levdansky	Santoni
Allen	Egolf	Lloyd	Sather
Argall	Evans	Lucyk	Saylor
Armstrong	Fairchild	Lynch	Schuler
Baker	Fajt	Maitland	Scrimenti
Bard	Fargo	Major	Semmel
Barley	Farmer	Manderino	Serafini
Battisto	Feese	Markosek	Sheehan
Bebko-Jones	Fichter	Marsico	Smith, B.
Belardi	Heagle	Masland	Smith, S. H.
Belfanti	Flick	Mayernik	Snyder, D. W.
Birmelin	Gamble	McCall	Staback
Bishop	Gannon	McGeehan	Stairs
Blaum	Geist	McGill	Steelman
Boscota	George	Melio	Steil
Boyes	Gigliotti	Merry	Stern
Brown	Gladeck	Michlovic	Stetler
Browne	Godshall	Micozzie	Stish
Bunt	Gordner	Mundy	Strittmatter
Butkovitz	Gruitza	Nailor	Sturla
Buxton	Gruppo	Nickol	Surra
Caltagirone	Habay	Nyce	Tangretti
Cappabianca	Haluska	O'Brien	Taylor, E. Z.
Carn	Hanna	Olasz	Taylor, J.
Carone	Harhart	Oliver	Thomas
Cawley	Hasay	Perzel	Tigue
Chadwick	Hennessey	Pesci	Trello
Civera	Herman	Petrarca	Trich
Clark	Hershey	Petrone	True
Clymer	Hess	Pettit	Tulli
Cohen, L. I.	Horsy	Phillips	Vance
Cohen, M.	Hutchinson	Piccola	Van Horne
Colafiglia	Itkin	Pistella	Veon
Colaizzo	Jadlowicz	Pitts	Vitali
Conti	James	Platts	Walko
Cornell	Jarolin	Preston	Washington
Corpora	Josephs	Ramos	Waugh
Corrigan	Kaiser	Raymond	Williams
Cowell	Keller	Readshaw	Wogan
Coy	Kenney	Reber	Wozniak

Curry	King	Reinard	Wright, D. R.
Daley	Kirkland	Rieger	Wright, M. N.
DeLuca	Krebs	Roberts	Yewcic
Dempsey	Kukovich	Robinson	Youngblood
Dent	LaGrotta	Roebuck	Zimmerman
Dermody	Laughlin	Rohrer	Zug
DeWeese	Lawless	Rooney	
DiGirolamo	Lederer	Rubley	Ryan,
Donatucci	Leh	Rudy	Speaker
Druce	Lescovitz	Sainato	

NAYS-1

Miller

NOT VOTING-0

EXCUSED-4

Mihalich	Schroder	Shaner	Travaglio
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The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question,  
Will the House agree to the bill on third consideration as amended?

Mr. **MAYERNIK** offered the following amendment No. **A5167**:

Amend Title, page 1, line 2, by inserting after "Statutes," defining "police officer";

Amend Sec. 1, page 1, lines 8 and 9, by striking out all of said lines and inserting

Section 1. Section 103 of Title 18 of the Pennsylvania Consolidated Statutes is amended by adding a definition to read:  
§ 103. Definitions.

Subject to additional definitions contained in subsequent provisions of this title which are applicable to specific provisions of this part, the following words and phrases when used in this title shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

\*\*\*

"Police officer,"

- (1) a Pennsylvania State Police officer; or
- (2) an individual who:

- (i) has the authority to enforce this title and Title 75 (relating to vehicles); and
- (ii) is required by law to meet the requirements under the act of June 18, 1974 (P.L.359, No.120), referred to as the Municipal Police Education and Training Law.

\*\*\*

Section 2. Sections 7313 and 7314 of Title 18 are amended to read:

Amend Sec. 2, page 3, line 28, by striking out "2" and inserting

3

On the question,  
Will the House agree to the amendment?

The **SPEAKER** pro tempore. On that question, the Chair recognizes Mr. **Mayernik**.

Mr. **MAYERNIK**. Thank you, Mr. Speaker.

This amendment for the first time creates a definition in Title 18 to define a police officer. We use three criteria. One is you can be a Pennsylvania State Police officer, or the second criteria is a two-pronged criteria. The first prong is that you have to be able by law to enforce Title 18 and Title 75, authorized by law, and — the operative word is “and” — by law be required to attend Act 120 training, municipal police officers education and training.

This General Assembly has set a standard, as well as the court has set a standard, of what police training is necessary to be entitled to enforce the law and to be authorized.

I would ask for an affirmative vote on this, Mr. Speaker. Thank you.

**LEAVE OF ABSENCE CANCELED**

The SPEAKER pro tempore. The gentleman, Mr. Shaner, will be added to the master roll.

**CONSIDERATION OF SB 282 CONTINUED**

On the question recurring,  
Will the House agree to the amendment?

The following roll call was recorded:

**YEAS—199**

Adolph	Egolf	Lloyd	Santoni
Allen	Evans	Lucyk	Sather
Argall	Fairchild	Lynch	Saylor
Armstrong	Fajt	Maitland	Schuler
Baker	Fargo	Major	Scrimenti
Bard	Farmer	Manderino	Semmel
Barley	Feese	Markosek	Serafini
Battisto	Fichter	Marsico	Shaner
Bebko-Jones	Fleagle	Masland	Sheehan
Belardi	Flick	Mayernik	Smith, B.
Belfanti	Gamble	McCall	Smith, S. H.
Birmelin	Gannon	McGeehan	Snyder, D. W.
Bishop	Geist	McGill	Staback
Blaum	George	Melio	Stairs
Boscola	Gigliotti	Merry	Steelman
Boyes	Gladeck	Michlovic	Steil
Brown	Godshall	Micozzie	Stern
Browne	Gordner	Miller	Stetler
Bunt	Gruitza	Mundy	Stish
Butkovitz	Gruppo	Nailor	Strittmatter
Buxton	Habay	Nickol	Sturla
Caltagirone	Haluska	Nyce	Surra
Cappabianca	Hanna	O'Brien	Tangretti
Carn	Harhart	Olasz	Taylor, E. Z.
Carone	Hasay	Oliver	Taylor, J.
Cawley	Hennessey	Perzel	Thomas
Chadwick	Herman	Pesci	Tigue
Civera	Hershey	Petrarca	Trello
Clark	Hess	Petrone	Trich
Clymer	Horsey	Pettit	True
Cohen, L. I.	Hutchinson	Phillips	Tulli
Cohen, M.	Itkin	Piccola	Vance
Colafella	Jadlowiec	Pistella	Van Horne
Colaizzo	James	Pitts	Veon
Conti	Jarolin	Platts	Vitali
Cornell	Josephs	Preston	Walko
Corpora	Kaiser	Ramos	Washington
Corrigan	Keller	Raymond	Waugh
Cowell	Kenney	Readshaw	Williams
Coy	King	Reber	Wogan
Curry	Kirkland	Reinard	Wozniak

Daley	Krebs	Rieger	Wright, D. R.
DeLuca	Kukovich	Roberts	Wright, M. N.
Dempsey	LaGrotta	Robinson	Yewcic
Dent	Laughlin	Roebuck	Youngblood
Dermody	Lawless	Rohrer	Zimmerman
DeWeese	Lederer	Rooney	Zug
DiGirolamo	Leh	Rubley	
Donatucci	Lescovitz	Rudy	Ryan,
Druce	Levdansky	Sainato	Speaker
Durham			

NAYS—0

NOT VOTING—0

EXCUSED—3

Mihalich	Schroder	Travaglio
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The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question recurring,  
Will the House agree to the bill on third consideration as amended?

**AMENDMENT A5136 RECONSIDERED**

The SPEAKER pro tempore. The Chair is in receipt of a reconsideration motion signed by Mr. Perzel and Mr. Barley, who move that the vote by which amendment A5136 was passed to SB 282, PN 1136, on the 17th day of October be reconsidered.

On the question,  
Will the House agree to the motion?

The following roll call was recorded:

**YEAS—198**

Adolph	Egolf	Lloyd	Santoni
Allen	Evans	Lucyk	Sather
Argall	Fairchild	Lynch	Saylor
Baker	Fajt	Maitland	Schuler
Bard	Fargo	Major	Scrimenti
Barley	Farmer	Manderino	Semmel
Battisto	Feese	Markosek	Serafini
Bebko-Jones	Fichter	Marsico	Shaner
Belardi	Fleagle	Masland	Sheehan
Belfanti	Flick	Mayernik	Smith, B.
Birmelin	Gamble	McCall	Smith, S. H.
Bishop	Gannon	McGeehan	Snyder, D. W.
Blaum	Geist	McGill	Staback
Boscola	George	Melio	Stairs
Boyes	Gigliotti	Merry	Steelman
Brown	Gladeck	Michlovic	Steil
Browne	Godshall	Micozzie	Stern
Bunt	Gordner	Miller	Stetler
Butkovitz	Gruitza	Mundy	Stish
Buxton	Gruppo	Nailor	Strittmatter
Caltagirone	Habay	Nickol	Sturla
Cappabianca	Haluska	Nyce	Surra
Carn	Hanna	O'Brien	Tangretti
Carone	Harhart	Olasz	Taylor, E. Z.
Cawley	Hasay	Oliver	Taylor, J.
Chadwick	Hennessey	Perzel	Thomas
Civera	Herman	Pesci	Tigue

Clark	Hershey	Petrarca	Trello
Clymer	Hess	Petrone	Trich
Cohen, L. I.	Horsey	Pettit	True
Cohen, M.	Hutchinson	Phillips	Tulli
Colaella	Itkin	Piccola	Vance
Colaizzo	Jadlowiec	Pistella	Van Horne
Conti	James	Pitts	Veon
Cornell	Jarolin	Platts	Vitali
Corpora	Josephs	Preston	Walko
Corrigan	Kaiser	Ramos	Washington
Cowell	Keller	Raymond	Waugh
Coy	Kenney	Readshaw	Williams
Curry	King	Reber	Wogan
Daley	Kirkland	Reinard	Wozniak
DeLuca	Krebs	Rieger	Wright, D. R.
Dempsey	Kukovich	Roberts	Wright, M. N.
Dent	LaGrotta	Robinson	Yewcic
Dermody	Laughlin	Roebuck	Youngblood
DeWeese	Lawless	Rohrer	Zimmerman
DiGirolamo	Lederer	Rooney	Zug
Donatucci	Leh	Rubley	
Druce	Lescovitz	Rudy	Ryan,
Durham	Levdansky	Sainato	Speaker

NAYS-0

NOT VOTING-1

Armstrong

EXCUSED-3

Mihalich Schroder Travaglio

The majority having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

On the question recurring,  
Will the House agree to the amendment?

The clerk read the following amendment No. A5136:

Amend Title, page 1, line 5, by removing the period after "orders" and inserting

; prohibiting the operation of certain establishments; and providing for local option.

Amend Bill, page 3, by inserting between lines 27 and 28

Section 2. Title 18 is amended by adding a section to read:

§ 7328. Operation of certain establishments prohibited without local option.

(a) Offense defined.—A person commits a misdemeanor of the third degree if he operates an establishment commonly referred to as a bottle club in a municipality or part of a split municipality where the operation of such establishments has been disapproved by the voters in accordance with subsection (b).

(b) Local option; election to be held.—

(1) In any municipality or any part of a municipality where such municipality is split so that each part is separated by another municipality, an election may be held on the date of the primary election immediately preceding any municipal election, but not more than once in four years, to determine the will of the electors with respect to prohibiting the operation, within the limits of the municipality or part of a split municipality, of establishments commonly referred to as bottle clubs. Where an election shall have been held at the primary election preceding a municipal election in any year, another election may be held under the provisions of this subsection at the primary election occurring the fourth year after

such prior election. Whenever electors equal to at least 25% of the highest vote cast for any office in the municipality or part of a split municipality at the last preceding general election shall file a petition with the county board of elections of the county, or the governing body of the municipality adopts by majority vote a resolution to place the question on the ballot and a copy of the resolution is filed with the board of elections of the county, for a referendum on the question of prohibiting the operation of establishments commonly referred to as bottle clubs, the said county board of elections shall cause a question to be placed on the ballot or on the voting machine board and submitted at the primary election immediately preceding the municipal election. The question shall be in the following form:

Do you favor the prohibition of the operation of establishments, commonly referred to as bottle clubs in ( ) of ( )?

(2) In the case of a tie vote, the status quo shall obtain. If a majority of the electors voting on the question votes "yes," then an establishment commonly referred to as a bottle club shall not be operated in the municipality or part of a split municipality after 30 days from the certification of the vote on the question; but if a majority of the electors voting on the question votes "no," then the operation of these establishments shall be permitted in the municipality or part of a split municipality, unless and until at a later election a majority of the voting electors votes "yes" on the question.

(3) Proceedings under this subsection shall be in accordance with the provisions of the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code.

(c) Definition.—As used in this section, the term "bottle club" means an establishment operated for profit or pecuniary gain, with a capacity for the assemblage of 20 or more persons, in which no alcoholic liquors, alcohol or malt and brewed beverages are sold but where alcoholic liquors, alcohol or malt and brewed beverages are either provided by the operator or agents or employees of the operator for consumption on the premises or are brought into or kept at the establishment by the patrons or persons assembling there for use and consumption. The term shall not include a licensee under the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code.

Amend Sec. 2, page 3, line 28, by striking out "2" and inserting

3

On the question recurring,  
Will the House agree to the amendment?

**GERMANENESS QUESTIONED**

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. Lloyd.

The Chair rescinds that and recognizes the gentleman, Mr. Barley.

Mr. BARLEY. Thank you, Mr. Speaker.

The amendment 5136 that is before us presently, I believe this amendment is nongermane to this bill. This is really a local government issue. It is not a liquor issue or a crimes offenses issue as we are dealing with presently, and it would be my opinion that it is nongermane to this bill and that we should vote accordingly that it is not germane to this bill.

The SPEAKER pro tempore. Is the gentleman raising the question of germaneness and making a motion?

Mr. BARLEY. Yes, I am.

I move that we vote on the germaneness of this amendment.

The SPEAKER pro tempore. Under rule 27, germaneness is for the members to decide, and the matter is debatable.

On the question,  
Will the House sustain the germaneness of the amendment ?

The SPEAKER pro tempore. On the question, the Chair recognizes the gentleman from Somerset County, Mr. Lloyd.

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, if the members will look at the first section or subsection of the new section 7328 which my amendment would add to the Crimes Code, the section says, "Offense defined.—A person commits a misdemeanor of the third degree if he..." and so forth. That is standard operating procedure for the Crimes Code. In fact, if you look at the basic bill, you will find that the language which starts section 7313 and the language which starts section 7314 is very similar, that a person is guilty of an offense if he does certain things, performs certain conduct.

Mr. Speaker, we have, in all of the offenses involving alcohol, we have criminal penalties, and those criminal penalties sometimes are in the Crimes Code, and those criminal penalties are sometimes in the Liquor Code, and they are sometimes in both. So, Mr. Speaker, there certainly is precedent. We are dealing with saying that certain kinds of activity involving alcohol and certain kinds of activity involving the type of things to which people object having done in bottle clubs would be germane to the Crimes Code.

Mr. Speaker, much of the opposition to bottle clubs centers around drugs, centers around pornography, centers around behavior which is loud and causes problems for people in the neighborhood. Those are criminal activities, Mr. Speaker, and it seems to me that it is appropriate to address those criminal activities in the Crimes Code. That is what the amendment does, and I suggest that people who want to take that purest position may have a desire to do that because they want to avoid a vote on the merits.

Mr. Speaker, I would ask that we not do that and that we hold the amendment germane, and if you want to vote against the amendment on the merits, then do so.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Dauphin County, Mr. Piccola.

Mr. PICCOLA. Thank you, Mr. Speaker.

I would suggest to the House that this amendment is not germane to the bill.

The gentleman, Mr. Lloyd, has cleverly drafted his amendment to make it appear as if it is appropriately drafted to a Crimes Code bill, which this bill is, but the activity that he is seeking to criminalize has historically and traditionally been a zoning matter and should be either attached to the Municipalities Planning Code or to the Borough Code or a township code and should not be made part of our Crimes Code.

Secondly, the gentleman is providing for the creation of crimes or criminal behavior by referendum from municipality to municipality. I do not think we want to get into that, because it raises all sorts of constitutional and equal protection arguments, because something could be a crime in one municipality that votes in some fashion and not a crime just across the border. I think that raises all kinds of potential enforcement as well as constitutional issues.

I suggest that this is not germane to the Crimes Code. It should be put into either the Municipalities Planning Code or one of our appropriate ordinances dealing with local government or perhaps into the Liquor Code, but not into the Crimes Code, and I urge that the issue of germaneness be decided in the negative.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes for the second time the gentleman from Somerset, Mr. Lloyd.

Mr. LLOYD. Mr. Speaker, some argue that this basic bill is not germane to the Crimes Code because it deals with welfare or it deals with food stamps and it is being amended to deal with the WIC (women, infants, and children) program, and we will find provisions on those in a number of other codes, including the Welfare Code.

Now, what I do not understand is why if it is acceptable to address those kinds of matters in the Crimes Code it is not acceptable to address the question of bottle clubs. Mr. Speaker, we had a bill approved by the Liquor Committee which addressed bottle clubs in the Crimes Code, which seems to be an indication that somebody on that side of the aisle thought that that was an appropriate code to amend to address problems with bottle clubs.

The gentleman's suggestion that somehow there is some constitutional problem because the law is going to vary from municipality to municipality is wrong. The crime, which this section would declare, is operating a club in a municipality in which the voters have said they do not want those clubs. That is the crime. There is no problem of equal protection. Every municipality has an opportunity to have its say, and I think if we really are serious about dealing with pornography and some of the other things which have been problems in bottle clubs, if we are really serious about dealing with drugs, if we are really serious about dealing with street crime outside bottle clubs, if we are really serious about giving equity to our tavern owners who have to live with the laws and have to have all kinds of surveillance, then we ought to vote for this amendment and let the local people decide. We ought not duck it on some nebulous procedural argument.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. On the question, those who believe the amendment is germane will vote "aye"; those who believe the amendment is not germane will vote "no."

On the question recurring,  
Will the House sustain the germaneness of the amendment ?

The following roll call was recorded:

YEAS--107

Baker	Donatucci	Lueyk	Santoni
Battisto	Evans	Manderino	Scrimenti
Bebko-Jones	Fajt	Markosek	Shaner
Belardi	Gamble	Mayernik	Sheehan
Belfanti	George	McCall	Staback
Birmelin	Gigliotti	McGeehan	Steelman
Bishop	Godshall	Melio	Stern
Blaum	Gordner	Michlovic	Stetler
Boscola	Gruitza	Mundy	Sturla
Butkovitz	Habay	Olasz	Surra
Buxton	Haluska	Oliver	Tangretti
Caltagirone	Hanna	Pesci	Thomas
Cappabianca	Horsey	Petrarca	Tigue
Carn	Itkin	Petrone	Trello
Cawley	James	Pistella	Trich
Cohen, M.	Jarolin	Pitts	Van Horne
Colafella	Josephs	Platts	Veon
Colaizzo	Kaiser	Preston	Vitali
Corpora	Keller	Ramos	Walko
Corrigan	Kirkland	Readshaw	Washington
Cowell	Kukovich	Rieger	Waugh
Coy	LaGrotta	Roberts	Williams

Curry	Laughlin	Robinson	Wozniak
Daley	Lederer	Roebuck	Wright, D. R.
DeLuca	Lescovitz	Rooney	Yewcic
Dermody	Levdansky	Rudy	Youngblood
DeWeese	Lloyd	Sainato	

NAYS-92

Adolph	Fairchild	Lynch	Saylor
Allen	Fargo	Maitland	Schuler
Argall	Farmer	Major	Semmel
Armstrong	Feese	Marsico	Serafini
Bard	Fichter	Masland	Smith, B.
Barley	Fleagle	McGill	Smith, S. H.
Boyes	Flick	Merry	Snyder, D. W.
Brown	Gannon	Micozzie	Stairs
Browne	Geist	Miller	Steil
Bunt	Gladeck	Nailor	Stish
Carone	Gruppo	Nickol	Strittmatter
Chadwick	Harhart	Nyce	Taylor, E. Z.
Civera	Hasay	O'Brien	Taylor, J.
Clark	Hennessey	Perzel	True
Clymer	Herman	Pettit	Tulli
Cohen, L. I.	Hershey	Phillips	Vance
Conti	Hess	Piccola	Wogan
Cornell	Hutchinson	Raymond	Wright, M. N.
Dempsey	Jadlowiec	Reber	Zimmerman
Dent	Kenney	Reinard	Zug
DiGirolamo	King	Rohrer	
Druce	Krebs	Rubley	Ryan,
Durham	Lawless	Sather	Speaker
Egolf	Leh		

NOT VOTING-0

EXCUSED-3

Mihalich	Schroder	Travaglio
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendment was declared germane.

On the question recurring,  
Will the House agree to the amendment?

The following roll call was recorded:

YEAS-196

Adolph	Egolf	Lucy	Santoni
Allen	Evans	Lynch	Sather
Argall	Fairchild	Maitland	Saylor
Armstrong	Fajt	Major	Schuler
Baker	Fargo	Manderino	Scrimenti
Bard	Farmer	Markosek	Semmel
Barley	Feese	Marsico	Serafini
Battisto	Fichter	Masland	Shaner
Bebko-Jones	Fleagle	Mayernik	Sheehan
Belardi	Flick	McCall	Smith, B.
Belfanti	Gamble	McGeehan	Smith, S. H.
Birmelin	Geist	McGill	Snyder, D. W.
Bishop	George	Melio	Staback
Blaum	Gigliotti	Merry	Stairs
Boscola	Gladeck	Michlovic	Steelman
Boyes	Godshall	Micozzie	Steil
Brown	Gordner	Miller	Stern
Browne	Gruitza	Mundy	Stetler
Bunt	Gruppo	Nailor	Stish

Buxton	Habay	Nickol	Strittmatter
Caltagirone	Haluska	Nyce	Sturla
Cappabianca	Hanna	O'Brien	Surra
Carn	Harhart	Olasz	Tangretti
Carone	Hasay	Oliver	Taylor, E. Z.
Cawley	Hennessey	Perzel	Taylor, J.
Chadwick	Herman	Pesci	Thomas
Civera	Hershey	Petrarca	Tigue
Clark	Hess	Petrone	Trello
Clymer	Horsey	Pettit	Trich
Cohen, L. I.	Hutchinson	Phillips	True
Cohen, M.	Itkin	Piccola	Tulli
Colafella	Jadlowiec	Pistella	Vance
Colaizzo	James	Pitts	Van Horne
Conti	Jarolin	Platts	Veon
Cornell	Josephs	Preston	Vitali
Corpora	Kaiser	Ramos	Walko
Corrigan	Keller	Raymond	Washington
Cowell	Kenney	Readshaw	Waugh
Coy	King	Reber	Williams
Curry	Kirkland	Reinard	Wogan
Daley	Krebs	Rieger	Wozniak
DeLuca	Kukovich	Roberts	Wright, D. R.
Dempsey	LaGrotta	Robinson	Wright, M. N.
Dent	Laughlin	Roebuck	Yewcic
Dermody	Lawless	Rohrer	Zimmerman
DeWeese	Lederer	Rooney	Zug
DiGirolamo	Leh	Rubley	
Donatucci	Lescovitz	Rudy	Ryan,
Druce	Levdansky	Sainato	Speaker
Durham	Lloyd		

NAYS-1

Gannon

NOT VOTING-2

Butkovitz	Youngblood
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EXCUSED-3

Mihalich	Schroder	Travaglio
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The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question recurring,  
Will the House agree to the bill on third consideration as amended?  
Bill as amended was agreed to.

The SPEAKER pro tempore. This bill has been considered on three different days and agreed to and is now on final passage.  
The question is, shall the bill pass finally?  
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

YEAS-196

Adolph	Egolf	Lloyd	Santoni
Allen	Evans	Lucy	Sather
Argall	Fairchild	Lynch	Saylor
Armstrong	Fajt	Maitland	Schuler
Baker	Fargo	Major	Scrimenti
Bard	Farmer	Manderino	Semmel

Barley	Feese	Markosek	Serafini
Battisto	Fichter	Marsico	Shaner
Bebko-Jones	Fleagle	Masland	Sheehan
Belardi	Flick	Mayernik	Smith, B.
Belfanti	Gamble	McCall	Smith, S. H.
Birmelin	Gannon	McGeehan	Snyder, D. W.
Bishop	Geist	McGill	Staback
Blaum	George	Melio	Stairs
Boscola	Gigliotti	Merry	Steelman
Boyes	Gladeck	Michlovic	Stell
Brown	Godshall	Micozzie	Stern
Browne	Gordner	Miller	Stetler
Bunt	Gruitza	Mundy	Stish
Buxton	Gruppo	Nailor	Strittmatter
Caltagirone	Habay	Nickol	Sturla
Cappabianca	Haluska	Nyce	Surra
Carn	Hanna	O'Brien	Tangretti
Carone	Harhart	Olasz	Taylor, E. Z.
Cawley	Hasay	Perzel	Taylor, J.
Chadwick	Hennessey	Pesci	Thomas
Civera	Herman	Petrarca	Tigue
Clark	Hershey	Petrone	Trello
Clymer	Hess	Pettit	Trich
Cohen, L. I.	Horsey	Phillips	True
Cohen, M.	Hutchinson	Piccola	Tulli
Colafrella	Itkin	Pistella	Vance
Colaizzo	Jadlowiec	Pitts	Van Horne
Conti	James	Platts	Veon
Cornell	Jarolin	Preston	Vitali
Corpora	Josephs	Ramos	Walko
Corrigan	Kaiser	Raymond	Washington
Cowell	Keller	Readshaw	Waugh
Coy	Kenney	Reber	Williams
Curry	King	Reinard	Wogan
Daley	Kirkland	Rieger	Wozniak
DeLuca	Krebs	Roberts	Wright, D. R.
Dempsey	Kukovich	Robinson	Wright, M. N.
Dent	LaGrotta	Roebuck	Yewcic
Dermody	Laughlin	Rohrer	Zimmerman
DeWeese	Lawless	Rooney	Zug
DiGirolamo	Lederer	Rubley	
Donatucci	Leh	Rudy	Ryan,
Druce	Lescovitz	Sainato	Speaker
Durham	Levdansky		

NAYS-1

Oliver

NOT VOTING-2

Butkovitz Youngblood

EXCUSED-3

Mihalich Schroder Travaglio

SUPPLEMENTAL CALENDAR B CONTINUED

RESOLUTION PURSUANT TO RULE 35

Mrs. COHEN called up HR 231, PN 2594, entitled:

A Resolution urging the Governor to proclaim the month of October 1995 as "Breast Cancer Awareness Month" in this Commonwealth and urging all citizens of this Commonwealth to join in its observance by renewing their awareness of the aspects of breast cancer and by becoming knowledgeable about the most current medical developments regarding this tragic disease.

On the question,  
Will the House adopt the resolution?

Mrs. COHEN offered the following amendment No. A5280:

Amend Title, page 1, line 1, by striking out "Urging" and inserting  
Commending

Amend Title, page 1, line 1, by striking out "to proclaim" and inserting

for proclaiming

Amend First Resolve Clause, page 3, line 1, by striking out "urge" and inserting

commend

Amend First Resolve Clause, page 3, line 2, by striking out "to proclaim" and inserting

for proclaiming

On the question,  
Will the House agree to the amendment?

The following roll call was recorded:

YEAS-197

Adolph	Evans	Lucyk	Sather
Allen	Fairchild	Lynch	Saylor
Argall	Fajt	Maitland	Schuler
Armstrong	Fargo	Major	Scrimenti
Baker	Farmer	Manderino	Semmel
Bard	Feese	Markosek	Serafini
Barley	Fichter	Marsico	Shaner
Battisto	Fleagle	Masland	Sheehan
Bebko-Jones	Flick	Mayernik	Smith, B.
Belardi	Gamble	McCall	Smith, S. H.
Belfanti	Gannon	McGeehan	Snyder, D. W.
Birmelin	Geist	McGill	Staback
Bishop	George	Melio	Stairs
Blaum	Gigliotti	Merry	Steelman
Boscola	Gladeck	Michlovic	Stell
Boyes	Godshall	Micozzie	Stern
Brown	Gordner	Miller	Stetler
Browne	Gruitza	Mundy	Stish
Bunt	Gruppo	Nailor	Strittmatter
Butkovitz	Habay	Nickol	Sturla
Buxton	Haluska	Nyce	Surra
Caltagirone	Hanna	O'Brien	Tangretti
Cappabianca	Harhart	Olasz	Taylor, E. Z.
Carn	Hasay	Oliver	Taylor, J.
Carone	Hennessey	Perzel	Thomas
Cawley	Herman	Pesci	Tigue
Chadwick	Hershey	Petrarca	Trello
Civera	Hess	Petrone	Trich
Clark	Horsey	Pettit	True
Clymer	Hutchinson	Phillips	Tulli
Cohen, L. I.	Itkin	Piccola	Vance

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

Colafella	Jadlowiec	Pistella	Van Horne
Colaizzo	James	Pitts	Veon
Conti	Jarolin	Platts	Vitali
Cornell	Josephs	Preston	Walko
Corpora	Kaiser	Ramos	Washington
Corrigan	Keller	Raymond	Waugh
Cowell	Kenney	Readshaw	Williams
Coy	King	Reber	Wogan
Curry	Kirkland	Reinard	Wozniak
Daley	Krebs	Rieger	Wright, D. R.
DeLuca	Kukovich	Roberts	Wright, M. N.
Dempsey	LaGrotta	Robinson	Yewcic
Dent	Laughlin	Roebuck	Youngblood
DeWeese	Lawless	Rohrer	Zimmerman
DiGirolamo	Lederer	Rooney	Zug
Donatucci	Leh	Rubley	
Druce	Lescovitz	Rudy	Ryan,
Durham	Levdansky	Sainato	Speaker
Egolf	Lloyd	Santoni	

NAYS-0

NOT VOTING-2

Cohen, M. Dermody

EXCUSED-3

Mihalich Schroder Travaglio

The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question,  
Will the House adopt the resolution as amended?

The following roll call was recorded:

YEAS-199

Adolph	Egolf	Lloyd	Santoni
Allen	Evans	Lucyk	Sather
Argall	Fairchild	Lynch	Saylor
Armstrong	Fajt	Maitland	Schuler
Baker	Fargo	Major	Scrimanti
Bard	Farmer	Manderino	Semmel
Barley	Feese	Markosek	Serafini
Battisto	Fichter	Marsico	Shaner
Bebko-Jones	Fleagle	Masland	Sheehan
Belardi	Flick	Mayernik	Smith, B.
Belfanti	Gamble	McCall	Smith, S. H.
Birmelin	Gannon	McGeehan	Snyder, D. W.
Bishop	Geist	McGill	Staback
Blaum	George	Melio	Stairs
Boscola	Gigliotti	Merry	Steelman
Boyes	Gladeck	Michlovic	Steil
Brown	Godshall	Micozzie	Stern
Browne	Gordner	Miller	Stetler
Bunt	Gruitza	Mundy	Stish
Butkovitz	Gruppo	Nailor	Strittmatter
Buxton	Habay	Nickol	Sturla
Caltagirone	Haluska	Nyce	Surra
Cappabianca	Hanna	O'Brien	Tangretti
Carn	Harhart	Olasz	Taylor, E. Z.
Carone	Hasay	Oliver	Taylor, J.
Cawley	Hennessey	Perzel	Thomas
Chadwick	Herman	Pesci	Tigue
Civera	Hershey	Petrarca	Trello
Clark	Hess	Petrone	Trich

Clymer	Horsey	Pettit	True
Cohen, L. I.	Hutchinson	Phillips	Tulli
Cohen, M.	Itkin	Piccola	Vance
Colafella	Jadlowiec	Pistella	Van Horne
Colaizzo	James	Pitts	Veon
Conti	Jarolin	Platts	Vitali
Cornell	Josephs	Preston	Walko
Corpora	Kaiser	Ramos	Washington
Corrigan	Keller	Raymond	Waugh
Cowell	Kenney	Readshaw	Williams
Coy	King	Reber	Wogan
Curry	Kirkland	Reinard	Wozniak
Daley	Krebs	Rieger	Wright, D. R.
DeLuca	Kukovich	Roberts	Wright, M. N.
Dempsey	LaGrotta	Robinson	Yewcic
Dent	Laughlin	Roebuck	Youngblood
Dermody	Lawless	Rohrer	Zimmerman
DeWeese	Lederer	Rooney	Zug
DiGirolamo	Leh	Rubley	
Donatucci	Lescovitz	Rudy	Ryan,
Druce	Levdansky	Sainato	Speaker
Durham			

NAYS-0

NOT VOTING-0

EXCUSED-3

Mihalich Schroder Travaglio

The majority having voted in the affirmative, the question was determined in the affirmative and the resolution as amended was adopted.

**BILLS REPORTED FROM COMMITTEE,  
CONSIDERED FIRST TIME, AND TABLED**

**HB 1026, PN 2627 (Amended)** By Rep. MICOZZIE

An Act providing for continuity of health insurance benefits in certain situations.

INSURANCE.

**HB 1100, PN 2628 (Amended)** By Rep. MICOZZIE

An Act amending the act of July 22, 1974 (P.L.589, No.205), known as the Unfair Insurance Practices Act, further providing for definitions and for unfair competition and practices.

INSURANCE.

**SB 19, PN 1494 (Amended)** By Rep. MICOZZIE

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for proof of financial responsibility following an accident; and making an accident reportable if a driver is unable to provide financial responsibility information.

INSURANCE.

**BILLS REMOVED FROM TABLE**

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I move that the following three bills be removed from the table and placed on the active calendar:

HB 1026;  
HB 1100; and  
SB 19;

On the question,  
Will the House agree to the motion?  
Motion was agreed to.

**BILLS RECOMMITTED**

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I move that the following bills be recommitted to the Committee on Appropriations:

HB 1026;  
HB 1100; and  
SB 19.

On the question,  
Will the House agree to the motion?  
Motion was agreed to.

**RECESS**

The SPEAKER pro tempore. The regular session stands in recess to the call of the Chair.

**AFTER RECESS**

The time of recess having expired, the House was called to order.

**CALENDAR CONTINUED****BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **SB 223, PN 1422**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for powers of State parole agents and county probation and parole officers to conduct certain searches; and further providing for criminal trespass.

On the question recurring,  
Will the House agree to the bill on third consideration as amended?

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Wogan, for the purpose of making a motion.

Mr. WOGAN. Thank you, Mr. Speaker.

Mr. Speaker, I would like to thank everyone for their tremendous patience on this issue. If you may recall, this is the issue of giving our probation officers and parole agents search and seizure powers without having to obtain a warrant from a judge. This is a power that these officers and agents always had until a 1993 case by our Pennsylvania Supreme Court, Commonwealth v. Pickron.

We have debated this issue on parts of at least 5 session days. We have used two vehicles, but I wish to report that our concept, which we have been successful on two occasions here in the House of winning the vote on this concept, is now moving in the State Senate, or I am sorry, now moving in the other place. That is special session HB 115. It was reported from the Judiciary Committee of the other place and is now before the entire membership of that body.

**BILL REVERTED TO  
PRIOR PRINTER'S NUMBER**

Mr. WOGAN. I believe that we have taken up enough of this chamber's time with this issue, but I wish to again thank everyone for their patience. This is an important issue. This is a good crime-fighting issue. But since we are on the verge of success over in the State Senate, I would like to clear up SB 223 by, for the second time on this bill, moving to revert to the prior printer's number, and that prior printer's number will be 229.

So everybody understands exactly what the effect of that will be, when we revert to PN 229, we will strip out my amendment, upon which we spent so much time, and we will be left with the initial core of Senator Jubelirer's bill, which has to do with ethnic intimidation.

So without further ado, I would ask that everyone support my motion to revert to a prior printer's number, and again, for the third time, I would like to thank everyone for their patience. I have every confidence that our concept will carry today and that it will become law. It just will not use SB 223 in becoming law. Thank you.

The SPEAKER pro tempore. The gentleman moves to revert to prior PN 229.

On the question,  
Will the House agree to the motion?

The SPEAKER pro tempore. The motion is debatable, and the Chair recognizes the gentleman from Allegheny County, Mr. Mayernik, on the motion.

Mr. MAYERNIK. Thank you, Mr. Speaker.

I would like to concur and also ask for an affirmative vote to revert to the prior printer's number with Representative Wogan. I initially had done this last week or a couple weeks ago. It is necessary to get this bill through clean so we can have an ethnic intimidation law in this Commonwealth, and I would ask for an affirmative vote to do so.



## PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware County, Mr. Kirkland.

Mr. KIRKLAND. Mr. Speaker, thank you.

Point of parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state the point.

Mr. KIRKLAND. Mr. Speaker, if the bill reverts back to the prior printer's number, does that mean that the amendments that are presently on the bill will not be allowed to go along with the bill?

The SPEAKER pro tempore. The gentleman is correct. Amendments drawn to PN 1422 would be out of order, and only amendments to PN 229 would be in order.

Mr. KIRKLAND. Thank you, Mr. Speaker.

Therefore, I would ask for a "no" vote as far as reverting back to the prior printer's number.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Philadelphia, Mr. Thomas.

Mr. THOMAS. Excuse me, Mr. Speaker. I did not hear your comments.

The SPEAKER pro tempore. The Chair answered the gentleman's point of parliamentary inquiry by saying that amendments drawn to PN 1422 would be out of order if the motion passes. Only amendments to PN 229 would be in order if this motion succeeds.

Mr. THOMAS. I guess the only question I would have, Mr. Speaker, because as I recall, we reverted back to a prior printer's number before we entertained the current amendments to SB 223, so are you saying that if this motion passes, any amendments to SB 223 on prior PN 1422, along with the subsequent printer's number, would effectively remove all of those amendments?

The SPEAKER pro tempore. The answer is yes. Amendments drawn to PN 1422 would not be in order.

Mr. THOMAS. Okay. And also amendments to PN 229 would also not be in order?

The SPEAKER pro tempore. If the motion is agreed to, amendments drawn to PN 229 may be in order.

Mr. THOMAS. Okay. I guess my next question would be more a courtesy from the Chair. What happens to those amendments, or what will happen to those amendments?

The SPEAKER pro tempore. Amendments to which printer's number?

Mr. THOMAS. To both PN 229 and PN 1422.

The SPEAKER pro tempore. Amendments drawn to PN 1422 would be ruled out of order. Anyone having amendments drawn to PN 229 would be offered the opportunity to offer those amendments.

Mr. THOMAS. Okay. So all amendments — and I just want the record to be straight — all amendments on PN 229, PN 1422, all amendments would be effectively removed from SB 223 if this motion passes?

The SPEAKER pro tempore. The only amendment that has already been adopted in the bill is the Wogan amendment. That amendment would be removed if we revert to the prior printer's number. After that, any amendment drawn to PN 229 could be offered; any amendment drawn to PN 1422 would be out of order and could not be offered.

Mr. THOMAS. Okay. Thank you, Mr. Speaker.

## PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Somerset County, Mr. Lloyd.

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, a parliamentary inquiry, and I think the gentleman, Mr. Wogan, intends to withdraw his amendment drafted to PN 229, if that is necessary, but if the Chair will recall, the Chair ordered a reprinting of this bill, the bill with the Wogan amendment in it, to make it easier for members to draft their amendments to the Wogan language.

What I want to be sure is that if we revert to the prior printer's number, the adoption of the Wogan amendment prior to the reprinting of the bill, do we have to reconsider that? Does he have the right to withdraw it, or is it automatically wiped out, and to put it into the bill, we would have to vote again to put it in?

The SPEAKER pro tempore. That amendment would be automatically wiped out.

Mr. LLOYD. Thank you, Mr. Speaker.

On the question recurring,  
Will the House agree to the motion?

The following roll call was recorded:

## YEAS—195

Adolph	Egolf	Lucyk	Santoni
Allen	Evans	Lynch	Sather
Argall	Fairchild	Maitland	Saylor
Armstrong	Fajt	Major	Schuler
Baker	Fargo	Manderino	Scrimenti
Bard	Farmer	Markosek	Semmel
Barley	Feese	Marsico	Serafini
Battisto	Fichter	Masland	Shaner
Bebko-Jones	Fleagle	Mayernik	Sheehan
Belardi	Flick	McCall	Smith, B.
Belfanti	Gamble	McGeehan	Smith, S. H.
Birmelin	Gannon	McGill	Snyder, D. W.
Bishop	Geist	Melio	Staback
Blaum	George	Merry	Stairs
Boscola	Gigliotti	Michlovic	Steil
Boyes	Gladeck	Micozzie	Stern
Brown	Godshall	Miller	Stetler
Browne	Gruitza	Mundy	Stish
Bunt	Gruppo	Nailor	Strittmatter
Buxton	Habay	Nickol	Sturla
Caltagirone	Haluska	Nyce	Surra
Cappabianca	Hanna	O'Brien	Tangretti
Carn	Harhart	Olasz	Taylor, E. Z.
Carone	Hasay	Oliver	Taylor, J.
Cawley	Hennessey	Perzel	Thomas
Chadwick	Herman	Pesci	Tigue
Civera	Hershey	Petrarca	Trello
Clark	Hess	Petrone	Trich
Clymer	Horsey	Pettit	True
Cohen, L. I.	Hutchinson	Phillips	Tulli
Cohen, M.	Itkin	Piccola	Vance
Colaifella	Jadlowiec	Pistella	Van Horne
Colaizzo	James	Pitts	Veon
Conti	Jarolin	Platts	Vitali
Cornell	Josephs	Preston	Walko
Corpora	Kaiser	Ramos	Washington
Corrigan	Keller	Raymond	Waugh
Cowell	Kenney	Readshaw	Williams
Coy	King	Reber	Wogan
Curry	Krebs	Reinard	Wozniak
Daley	Kukovich	Rieger	Wright, D. R.

DeLuca	LaGrotta	Roberts	Wright, M. N.
Dempsey	Laughlin	Robinson	Yewcic
Dent	Lawless	Roebuck	Youngblood
Dermody	Lederer	Rohrer	Zimmerman
DeWeese	Leh	Rooney	Zug
DiGirolamo	Lescovitz	Rubley	
Donatucci	Levdansky	Rudy	Ryan,
Druce	Lloyd	Sainato	Speaker
Durham			

NAYS-2

Kirkland Steelman

NOT VOTING-2

Butkovitz Gordner

EXCUSED-3

Mihalich Schroder Travaglio

The majority having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

On the question recurring,  
Will the House agree to the bill on third consideration as amended?  
Bill as amended was agreed to.

The SPEAKER pro tempore. This bill has been considered on three different days and agreed to and is now on final passage.  
The question is, shall the bill pass finally?  
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

YEAS-198

Adolph	Durham	Lloyd	Santoni
Allen	Egolf	Lucyk	Sather
Argall	Evans	Lynch	Saylor
Armstrong	Fairchild	Armstrong	Schuler
Baker	Fajt	Major	Scrimenti
Bard	Fargo	Manderino	Semmel
Barley	Farmer	Markosek	Serafini
Battisto	Feese	Marsico	Shaner
Bebko-Jones	Fichter	Masland	Sheehan
Belardi	Fleagle	Mayernik	Smith, B.
Belfanti	Flick	McCall	Smith, S. H.
Birmelin	Gamble	McGeehan	Snyder, D. W.
Bishop	Gannon	McGill	Staback
Blaum	Geist	Melio	Stairs
Boscola	George	Merry	Steelman
Boyes	Gigliotti	Michlovic	Steil
Brown	Gladeck	Micozzie	Stern
Browne	Godshall	Miller	Stetler
Bunt	Gruitza	Mundy	Stish
Butkovitz	Gruppo	Nailor	Strittmatter
Buxton	Habay	Nicol	Sturla
Caltagirone	Haluska	Nyce	Surra
Cappabianca	Hanna	O'Brien	Tangretti
Carn	Harhart	Olasz	Taylor, E. Z.
Carone	Hasay	Oliver	Taylor, J.
Cawley	Hennessey	Perzel	Thomas
Chadwick	Herman	Pesci	Tigue
Civera	Hershey	Petrarca	Treflo
Clark	Hess	Petrone	Trich
Clymer	Horsey	Pettit	True

Cohen, L. I.	Hutchinson	Phillips	Tulli
Cohen, M.	Itkin	Piccola	Vance
Colaella	Jadlowiec	Pistella	Van Horne
Colaizzo	James	Pitts	Veon
Conti	Jarolin	Platts	Vitali
Cornell	Josephs	Preston	Walko
Corpora	Kaiser	Ramos	Washington
Corrigan	Keller	Raymond	Waugh
Cowell	Kenney	Readshaw	Williams
Coy	King	Reber	Wogan
Curry	Kirkland	Reinard	Wozniak
Daley	Krebs	Rieger	Wright, D. R.
DeLuca	Kukovich	Roberts	Wright, M. N.
Dempsey	LaGrotta	Robinson	Yewcic
Dent	Laughlin	Roebuck	Youngblood
Dermody	Lawless	Rohrer	Zimmerman
DeWeese	Lederer	Rooney	Zug
DiGirolamo	Leh	Rubley	
Donatucci	Lescovitz	Rudy	Ryan,
Druce	Levdansky	Sainato	Speaker

NAYS-0

NOT VOTING-1

Gordner

EXCUSED-3

Mihalich Schroder Travaglio

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

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Without objection, the House proceeded to third consideration of HB 2037, PN 2527, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor and the Department of Transportation, to grant and convey a permanent right-of-way over certain State land to the Middletown Fire Company No. 1, Delaware County, Pennsylvania; and making repeals.

On the question,  
Will the House agree to the bill on third consideration?  
Bill was agreed to.

The SPEAKER pro tempore. This bill has been considered on three different days and agreed to and is now on final passage.  
The question is, shall the bill pass finally?  
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

YEAS-198

Adolph	Durham	Lloyd	Santoni
Allen	Egolf	Lucyk	Sather
Argall	Evans	Lynch	Saylor
Armstrong	Fairchild	Maitland	Schuler
Baker	Fajt	Major	Scrimenti
Bard	Fargo	Manderino	Semmel
Barley	Farmer	Markosek	Serafini
Battisto	Feese	Marsico	Shaner
Bebko-Jones	Fichter	Masland	Sheehan
Belardi	Fleagle	Mayernik	Smith, B.
Belfanti	Flick	McCall	Smith, S. H.
Birmelin	Gamble	McGeehan	Snyder, D. W.
Bishop	Gannon	McGill	Staback
Blaum	Geist	Melio	Stairs
Boscola	George	Merry	Steelman
Boyes	Gigliotti	Michlovic	Steil
Brown	Gladeck	Micozzie	Stern
Browne	Godshall	Miller	Stetler
Bunt	Gruitza	Mundy	Stish
Butkovitz	Gruppo	Nailor	Strittmatter
Buxton	Habay	Nickol	Sturla
Caltagirone	Haluska	Nyce	Surra
Cappabianca	Hanna	O'Brien	Tangretti
Carn	Harhart	Olasz	Taylor, E. Z.
Carone	Hasay	Oliver	Taylor, J.
Cawley	Hennessey	Perzel	Thomas
Chadwick	Herman	Pesci	Tigue
Civera	Hershey	Petrarca	Trello
Clark	Hess	Petrone	Trich
Clymer	Horsey	Petit	True
Cohen, L. I.	Hutchinson	Phillips	Fulli
Cohen, M.	Itkin	Piccola	Vance
Colafrilla	Jadlowiec	Pistella	Van Horne
Colaizzo	James	Pitts	Veon
Conti	Jarolin	Platts	Vitali
Cornell	Josephs	Preston	Walko
Corpora	Kaiser	Ramos	Washington
Corrigan	Keller	Raymond	Waugh
Cowell	Kenney	Readshaw	Williams
Coy	King	Reber	Wogan
Curry	Kirkland	Reinard	Wozniak
Daley	Krebs	Rieger	Wright, D. R.
DeLuca	Kukovich	Roberts	Wright, M. N.
Dempsey	LaGrotta	Robinson	Yewcic
Dent	Laughlin	Roebuck	Youngblood
Dermody	Lawless	Rohrer	Zimmerman
DeWeese	Lederer	Rooney	Zug
DiGirolamo	Leh	Rubley	
Donatucci	Lescovitz	Rudy	Ryan,
Druce	Levdansky	Sainato	Speaker

NAYS-0

NOT VOTING-1

Gordner

EXCUSED-3

Mihalich                      Schroder                      Travaglio

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk present the same to the Senate for concurrence.

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. PERZEL. Thank you, Mr. Speaker.

Mr. Speaker, that was the first bill that the Speaker of the House, Matt Ryan, has been able to pass this year, and I would like to congratulate him on passing his first bill.

GUEST INTRODUCED

The SPEAKER pro tempore. The Chair would like to welcome Joe Krebs of Waynesboro, who is the guest page of Representative Pat Fleagle. He is located in the guest page area. Please rise. Welcome to the hall of the House.

RULES COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the majority leader, who calls an immediate meeting of the Rules Committee at the majority leader's desk.

BILL ON CONCURRENCE REPORTED FROM RULES COMMITTEE

HB 1488, PN 2305

By Rep. PERZEL

An Act amending the act of June 17, 1913 (P.L.507, No.335), referred to as the Intangible Personal Property Tax Law, further providing for a variable rate of taxation on the value of personal property.

RULES.

RESOLUTION REPORTED FROM COMMITTEE

HR 204, PN 2630 (Amended)

By Rep. PERZEL

A Resolution directing the Urban Affairs Committee to inquire into the practices of municipal authorities.

RULES.

BILLS ON THIRD CONSIDERATION

Without objection, the House proceeded to third consideration of HB 260, PN 242, entitled:

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, providing for a lottery winnings intercept in relation to defaulted student loans obtained originally through the Pennsylvania Higher Education Assistance Agency.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

The SPEAKER pro tempore. This bill has been considered on three different days and agreed to and is now on final passage.

The question is, shall the bill pass finally?

Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

YEAS-198

Adolph	Durham	Lloyd	Santoni
Allen	Egolf	Lucyk	Sather
Argall	Evans	Lynch	Saylor
Armstrong	Fairchild	Maitland	Schuler
Baker	Fajt	Major	Scrimenti
Bard	Fargo	Manderino	Semmel
Barley	Farmer	Markosek	Serafini
Battisto	Feese	Marsico	Shaner
Bebko-Jones	Fichter	Masland	Sheehan
Belardi	Fleagle	Mayernik	Smith, B.
Belfanti	Flick	McCall	Smith, S. H.
Birmelin	Gamble	McGeehan	Snyder, D. W.
Bishop	Gannon	McGill	Staback
Blaum	Geist	Melio	Stairs
Boscola	George	Merry	Steelman
Boyes	Gigliotti	Michlovic	Steil
Brown	Gladeck	Micozzie	Stern
Browne	Godshall	Miller	Stetler
Bunt	Gruitza	Mundy	Stish
Butkovitz	Gruppo	Nailor	Strittmatter
Buxton	Habay	Nickol	Sturla
Caltagirone	Haluska	Nyce	Surra
Cappabianca	Hanna	O'Brien	Tangretti
Carn	Harhart	Olasz	Taylor, E. Z.
Carone	Hasay	Oliver	Taylor, J.
Cawley	Hennessey	Perzel	Thomas
Chadwick	Herman	Pesci	Tigue
Civera	Hershey	Petrarca	Trello
Clark	Hess	Petrone	Trich
Clymer	Horsey	Pettit	True
Cohen, L. I.	Hutchinson	Phillips	Tulli
Cohen, M.	Itkin	Piccola	Vance
Colafella	Jadlowiec	Pistella	Van Horne
Colaizzo	James	Pitts	Veon
Conti	Jarolin	Platts	Vitali
Cornell	Josephs	Preston	Walko
Corpora	Kaiser	Ramos	Washington
Corrigan	Keller	Raymond	Waugh
Cowell	Kenney	Readshaw	Williams
Coy	King	Reber	Wogan
Curry	Kirkland	Reinard	Wozniak
Daley	Krebs	Rieger	Wright, D. R.
DeLuca	Kukovich	Roberts	Wright, M. N.
Dempsey	LaGrotta	Robinson	Yewcic
Dent	Laughlin	Roebuck	Youngblood
Dermody	Lawless	Rohrer	Zimmerman
DeWeese	Lederer	Rooney	Zug
DiGirolamo	Leh	Rubley	
Donatucci	Lescovitz	Rudy	Ryan,
Druce	Levdansky	Sainato	Speaker

NAYS-0

NOT VOTING-1

Gordner

EXCUSED-3

Mihalich            Schroder            Travaglio

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk present the same to the Senate for concurrence.

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Without objection, the House proceeded to third consideration of **HB 1272, PN 2437**, entitled:

An Act providing for agreements for purchase of group insurance by school directors.

On the question,  
Will the House agree to the bill on third consideration?  
Bill was agreed to.

The SPEAKER pro tempore. This bill has been considered on three different days and agreed to and is now on final passage.  
The question is, shall the bill pass finally?

Is the gentleman, Mr. Kaiser, on the floor? Would the gentleman be willing to give a brief description of the bill?  
Mr. KAISER. Mr. Speaker, this would allow school boards to form pools for the purpose of purchasing insurance.  
The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,  
Shall the bill pass finally?  
The SPEAKER pro tempore. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

YEAS-197

Adolph	Egolf	Lucyk	Sather
Allen	Evans	Lynch	Saylor
Argall	Fairchild	Maitland	Schuler
Armstrong	Fajt	Major	Scrimenti
Baker	Fargo	Manderino	Semmel
Bard	Farmer	Markosek	Serafini
Barley	Feese	Marsico	Shaner
Battisto	Fichter	Masland	Sheehan
Bebko-Jones	Fleagle	Mayernik	Smith, B.
Belardi	Flick	McCall	Smith, S. H.
Belfanti	Gamble	McGeehan	Snyder, D. W.
Birmelin	Gannon	McGill	Staback
Bishop	Geist	Melio	Stairs
Blaum	George	Merry	Steelman
Boscola	Gigliotti	Michlovic	Steil
Boyes	Gladeck	Micozzie	Stern
Brown	Godshall	Miller	Stetler
Browne	Gruitza	Mundy	Stish
Bunt	Gruppo	Nailor	Strittmatter
Butkovitz	Habay	Nickol	Sturla
Buxton	Haluska	Nyce	Surra
Caltagirone	Hanna	O'Brien	Tangretti
Cappabianca	Harhart	Olasz	Taylor, E. Z.
Carn	Hasay	Oliver	Taylor, J.
Cawley	Hennessey	Perzel	Thomas
Chadwick	Herman	Pesci	Tigue
Civera	Hershey	Petrarca	Trello
Clark	Hess	Petrone	Trich
Clymer	Horsey	Pettit	True
Cohen, L. I.	Hutchinson	Phillips	Tulli
Cohen, M.	Itkin	Piccola	Vance
Colafella	Jadlowiec	Pistella	Van Horne
Colaizzo	James	Pitts	Veon
Conti	Jarolin	Platts	Vitali
Cornell	Josephs	Preston	Walko
Corpora	Kaiser	Ramos	Washington
Corrigan	Keller	Raymond	Waugh
Cowell	Kenney	Readshaw	Williams
Coy	King	Reber	Wogan

Curry	Kirkland	Reinard	Wozniak
Daley	Krebs	Rieger	Wright, D. R.
DeLuca	Kukovich	Roberts	Wright, M. N.
Dempsey	LaGrotta	Robinson	Yewcic
Dent	Laughlin	Roebuck	Youngblood
Dermody	Lawless	Rohrer	Zimmerman
DeWeese	Lederer	Rooney	Zug
DiGirolamo	Leh	Rubley	
Donatucci	Lescovitz	Rudy	Ryan,
Druce	Levdansky	Sainato	Speaker
Durham	Lloyd	Santoni	

NAYS-1

Carone

NOT VOTING-1

Gordner

EXCUSED-3

Mihalich Schroder Travaglio

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk present the same to the Senate for concurrence.

\* \* \*

The House proceeded to third consideration of **HB 1927, PN 2383**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for other offenses.

On the question,  
Will the House agree to the bill on third consideration?  
Bill was agreed to.

The SPEAKER pro tempore. This bill has been considered on three different days and agreed to and is now on final passage.

The question is, shall the bill pass finally?

Would the gentleman, Mr. Piccola, be willing to give a brief description of the bill?

Mr. PICCOLA. Thank you, Mr. Speaker.

This bill increases the statute of limitations for certain crimes - aggravated assault, theft of computer services, and insurance fraud - from 2 years to 5 years.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,  
Shall the bill pass finally?

The SPEAKER pro tempore. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

YEAS-198

Adolph	Durham	Lloyd	Santoni
Allen	Egolf	Lucyk	Sather
Argall	Evans	Lynch	Saylor
Armstrong	Fairchild	Maitland	Schuler
Baker	Fajt	Major	Scrimenti
Bard	Fargo	Manderino	Semmel
Barley	Farmer	Markosek	Serafini
Battisto	Feese	Marsico	Shaner
Bebko-Jones	Fichter	Masland	Sheehan
Belardi	Fleagle	Mayermik	Smith, B.
Belfanti	Flick	McCall	Smith, S. H.
Birmelin	Gamble	McGeehan	Snyder, D. W.
Bishop	Gannon	McGill	Staback
Blaum	Geist	Melio	Stairs
Boscola	George	Merry	Steelman
Boyes	Gigliotti	Michlovic	Steil
Brown	Gladeck	Micozzie	Stern
Browne	Godshall	Miller	Stetler
Bunt	Gruitza	Mundy	Stish
Butkovitz	Gruppo	Nailor	Strittmatter
Buxton	Habay	Nickol	Sturla
Caltagirone	Haluska	Nyce	Surra
Cappabianca	Hanna	O'Brien	Tangretti
Carn	Harhart	Olasz	Taylor, E. Z.
Carone	Hasay	Oliver	Taylor, J.
Cawley	Hennessey	Perzel	Thomas
Chadwick	Herman	Pesci	Tigue
Civera	Hershey	Petrarca	Trello
Clark	Hess	Petrone	Trich
Clymer	Horsey	Pettit	True
Cohen, L. I.	Hutchinson	Phillips	Tulli
Cohen, M.	Itkin	Piccola	Vance
Colafella	Jadlowiec	Pistella	Van Horne
Colaizzo	James	Pitts	Veon
Conti	Jarolin	Platts	Vitali
Cornell	Josephs	Preston	Walko
Corpora	Kaiser	Ramos	Washington
Corrigan	Keller	Raymond	Waugh
Cowell	Kenney	Readshaw	Williams
Coy	King	Reber	Wogan
Curry	Kirkland	Reinard	Wozniak
Daley	Krebs	Rieger	Wright, D. R.
DeLuca	Kukovich	Roberts	Wright, M. N.
Dempsey	LaGrotta	Robinson	Yewcic
Dent	Laughlin	Roebuck	Youngblood
Dermody	Lawless	Rohrer	Zimmerman
DeWeese	Lederer	Rooney	Zug
DiGirolamo	Leh	Rubley	
Donatucci	Lescovitz	Rudy	Ryan,
Druce	Levdansky	Sainato	Speaker

NAYS-0

NOT VOTING-1

Gordner

EXCUSED-3

Mihalich Schroder Travaglio

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk present the same to the Senate for concurrence.

**RESOLUTIONS**

Mr. READSHAW called up **HR 75, PN 1075**, entitled:

A Concurrent Resolution directing the Public Employee Retirement Study Commission to conduct an analysis of the funding formula in the Municipal Pension Plan Funding Standard and Recovery Act.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

**YEAS—193**

Adolph	Egolf	Lloyd	Santoni
Allen	Evans	Lucyk	Sather
Argall	Fairchild	Lynch	Saylor
Armstrong	Fajt	Maitland	Schuler
Baker	Fargo	Major	Scrimenti
Bard	Farmer	Manderino	Semmel
Barley	Feese	Markosek	Serafini
Battisto	Fichter	Marsico	Shaner
Bebko-Jones	Fleagle	Masland	Smith, B.
Belardi	Flick	Mayernik	Smith, S. H.
Belfanti	Gamble	McCall	Snyder, D. W.
Birmelin	Gannon	McGeehan	Staback
Bishop	Geist	McGill	Stairs
Blaum	George	Melio	Steelman
Boscola	Gigliotti	Merry	Steil
Boyes	Gladeck	Michlovic	Stern
Brown	Godshall	Micozzie	Stetler
Bunt	Gruitza	Miller	Stish
Butkovitz	Gruppo	Mundy	Strittmatter
Buxton	Habay	Nailor	Sturla
Caltagirone	Haluska	Nickol	Surra
Cappabianca	Hanna	O'Brien	Tangretti
Carone	Harhart	Olasz	Taylor, E. Z.
Cawley	Hasay	Oliver	Taylor, J.
Chadwick	Hennessey	Perzel	Thomas
Civera	Herman	Pesci	Tigue
Clark	Hershey	Petrarca	Trello
Clymer	Hess	Petrone	Trich
Cohen, L. I.	Horsey	Pettit	True
Cohen, M.	Hutchinson	Phillips	Tulli
Colaifella	Itkin	Piccola	Vance
Colaizzo	Jadlowiec	Pistella	Van Horne
Conti	James	Pitts	Veon
Cornell	Jarolin	Platts	Vitali
Corpora	Josephs	Preston	Walko
Corrigan	Kaiser	Ramos	Waugh
Cowell	Keller	Raymond	Williams
Coy	Kenney	Readshaw	Wogan
Curry	King	Reber	Wozniak
Daley	Kirkland	Reinard	Wright, D. R.
DeLuca	Krebs	Rieger	Wright, M. N.
Dempsey	Kukovich	Roberts	Yewcic
Dent	LaGrotta	Robinson	Youngblood
Dermody	Laughlin	Roebuck	Zimmerman
DeWeese	Lawless	Rohrer	Zug
DiGirolamo	Lederer	Rooney	
Donatucci	Leh	Rubley	Ryan,
Druce	Lescovitz	Rudy	Speaker
Durham	Levdansky	Sainato	

**NAYS—3**

Browne                      Nyce                      Sheehan

**NOT VOTING—3**

Carn                      Gordner                      Washington

**EXCUSED—3**

Mihalich                      Schroder                      Travaglio

The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

Ordered, That the clerk present the same to the Senate for concurrence.

\* \* \*

Mr. PERZEL called up **SR 26, PN 1236**, entitled:

A Concurrent Resolution directing the Joint State Government Commission to create a bipartisan task force to study any necessary and appropriate changes to the laws of this Commonwealth in response to the adoption and implementation of NAFTA and GATT.

On the question,  
Will the House concur in the resolution of the Senate?

The following roll call was recorded:

**YEAS—195**

Adolph	Evans	Lucyk	Sather
Allen	Fairchild	Lynch	Saylor
Argall	Fajt	Maitland	Schuler
Baker	Fargo	Major	Scrimenti
Bard	Farmer	Manderino	Semmel
Barley	Feese	Markosek	Serafini
Battisto	Fichter	Marsico	Shaner
Bebko-Jones	Fleagle	Masland	Sheehan
Belardi	Flick	Mayernik	Smith, B.
Belfanti	Gamble	McCall	Smith, S. H.
Birmelin	Gannon	McGeehan	Snyder, D. W.
Bishop	Geist	McGill	Staback
Blaum	George	Melio	Stairs
Boscola	Gigliotti	Merry	Steelman
Boyes	Gladeck	Michlovic	Steil
Brown	Godshall	Micozzie	Stern
Browne	Gruitza	Miller	Stetler
Bunt	Gruppo	Mundy	Stish
Butkovitz	Habay	Nailor	Strittmatter
Buxton	Haluska	Nickol	Sturla
Caltagirone	Hanna	Nyce	Surra
Cappabianca	Harhart	O'Brien	Tangretti
Carone	Hasay	Olasz	Taylor, E. Z.
Cawley	Hennessey	Perzel	Taylor, J.
Chadwick	Herman	Pesci	Thomas
Civera	Hershey	Petrarca	Tigue
Clark	Hess	Petrone	Trello
Clymer	Horsey	Pettit	Trich
Cohen, L. I.	Hutchinson	Phillips	True
Cohen, M.	Itkin	Piccola	Tulli
Colaifella	Jadlowiec	Pistella	Vance
Colaizzo	James	Pitts	Van Horne
Conti	Jarolin	Platts	Veon
Cornell	Josephs	Preston	Vitali

Corpora	Kaiser	Ramos	Walko
Corrigan	Keller	Raymond	Washington
Cowell	Kenney	Readshaw	Waugh
Coy	King	Reber	Williams
Curry	Kirkland	Reinard	Wogan
Daley	Krebs	Rieger	Wozniak
DeLuca	Kukovich	Roberts	Wright, D. R.
Dempsey	LaGrotta	Robinson	Wright, M. N.
Dent	Laughlin	Roebuck	Yewcic
Dermody	Lawless	Rohrer	Youngblood
DeWeese	Lederer	Rooney	Zimmerman
DiGirolamo	Leh	Rubley	Zug
Donatucci	Lescovitz	Rudy	
Druce	Levdansky	Sainato	Ryan,
Durham	Lloyd	Santoni	Speaker
Egolf			

Birmelin	Gamble	McGeehan	Snyder, D. W.
Bishop	Gannon	McGill	Staback
Blaum	Geist	Melio	Stairs
Boscola	George	Merry	Steelman
Boyes	Gigliotti	Michlovic	Steil
Brown	Gladeck	Micozzie	Stern
Browne	Godshall	Miller	Stetler
Bunt	Gruitza	Mundy	Stish
Butkovitz	Gruppo	Nailor	Strittmatter
Buxton	Habay	Nickol	Sturla
Caftagirone	Haluska	Nyce	Surra
Cappabianca	Hanna	O'Brien	Tangretti
Carn	Harhart	Olasz	Taylor, E. Z.
Carone	Hasay	Oliver	Taylor, J.
Cawley	Hennessey	Perzel	Thomas
Chadwick	Herman	Pesci	Tigue
Civera	Hershey	Petrarca	Trello
Clark	Hess	Petrone	Trich
Clymer	Horsey	Petit	True
Cohen, L. I.	Hutchinson	Phillips	Tulli
Cohen, M.	Itkin	Piccola	Vance
Colafella	Jadlowiec	Pistella	Van Horne
Colaizzo	James	Pitts	Veon
Conti	Jarolin	Platts	Vitali
Cornell	Josephs	Preston	Walko
Corpora	Kaiser	Ramos	Washington
Corrigan	Keller	Raymond	Waugh
Cowell	Kenney	Readshaw	Williams
Coy	King	Reber	Wogan
Curry	Kirkland	Reinard	Wozniak
Daley	Krebs	Rieger	Wright, D. R.
DeLuca	Kukovich	Roberts	Wright, M. N.
Dempsey	LaGrotta	Robinson	Yewcic
Dent	Laughlin	Roebuck	Youngblood
Dermody	Lawless	Rohrer	Zimmerman
DeWeese	Lederer	Rooney	Zug
DiGirolamo	Leh	Rubley	
Donatucci	Lescovitz	Rudy	Ryan,
Druce	Levdansky	Sainato	Speaker

NAYS-1

Armstrong

NOT VOTING-3

Carn                      Gordner                      Oliver

EXCUSED-3

Mihalich                      Schroder                      Travaglio

The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was concurred in. Ordered, That the clerk inform the Senate accordingly.

**THE SPEAKER (MATTHEW J. RYAN) PRESIDING**

The SPEAKER. The Chair at this time thanks the gentleman, Mr. Chadwick, for presiding for a good part of the day.

**SR 26 RECONSIDERED**

The SPEAKER. The Chair at this time recognizes the gentleman, Mr. Armstrong, who moves that the vote by which SR 26 was adopted on the 17th day of October 1995 be reconsidered.

On the question,  
Will the House agree to the motion?

The following roll call was recorded:

YEAS-198

Adolph	Durham	Lloyd	Santoni
Allen	Egolf	Lucyk	Sather
Argall	Evans	Lynch	Saylor
Armstrong	Fairchild	Maitland	Schuler
Baker	Fajt	Major	Scrimanti
Bard	Fargo	Manderino	Semmel
Barley	Farmer	Markosek	Serafini
Battisto	Feese	Marsico	Shaner
Bebko-Jones	Fichter	Masland	Sheehan
Belardi	Fleagle	Mayernik	Smith, B.
Bellanti	Flick	McCall	Smith, S. H.

NAYS-0

NOT VOTING-1

Gordner

EXCUSED-3

Mihalich                      Schroder                      Travaglio

The majority having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

On the question recurring,  
Will the House concur in the resolution of the Senate?

The SPEAKER. The gentleman, Mr. Armstrong. Mr. ARMSTRONG. Mr. Speaker, before we recessed for our summer break, we voted a House resolution sponsored by Representative Frank Serafini. That resolution stated that we were to memorialize Congress asking them to take a look at the European Common Market regulations as they were going to go into effect January 1, 1996.

Now, I had asked the question if those regulations were going to be folded into NAFTA (North American Free Trade Agreement) or GATT (General Agreement on Tariffs and Trade), and the response was, at that point he did not know, but it was possible.

Now, I think we should take a look at this resolution because, in my opinion, you cannot vote for both of those resolutions. This resolution that is before us right now is telling us to take a look at all of our laws and see how we may be able to conform them to GATT and NAFTA, and yet on the other hand, we voted unanimously on a resolution stating that we did not want certain regulations to go into place which could cripple and hinder our own Pennsylvania industry and manufacturers.

Now, we cannot have it both ways. It is either one way or the other, and I believe that at this point to pass such a resolution asking for us to look at laws and how we can conform them to GATT and NAFTA can be very detrimental to Pennsylvania — to Pennsylvania's industries, to Pennsylvania's workers, to Pennsylvania's manufacturers — and I ask for every member to take a look at what you are doing with this resolution.

Thank you. Vote "no."

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Philadelphia, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I thank Mr. Armstrong for paying closer attention than many of us were and seeking a reconsideration of this resolution.

This resolution, basically, is asking for the State of Pennsylvania to use our taxpayers' money to subsidize legal research into enforcing the treaties that have been enacted by the Federal Government. The Federal treaties contain huge numbers of very imprecise language, and it is totally unclear as to precisely what they mean. Ralph Nader, the AFL-CIO, opponents of the treaties in general say they mean one thing. President Clinton, other supporters of it in the business community say they mean something else. The whole question of what the treaties mean is something that should be studied over time and evolved on a case-by-case basis through litigation in the State and Federal courts and through litigation in the bodies that are set up by the GATT and NAFTA treaties.

What this resolution asks is for the State of Pennsylvania to create an official document which will make judgments that will give people a basis to go into court and seek to throw out existing Pennsylvania laws that we historically have felt were of value on the grounds that they violate the GATT or NAFTA treaties. That is not the proper role for State government. The Federal Government passes laws and engages in treaties every day. Never before have we passed a resolution saying it is the duty of any body, the Joint State Government Commission or any other body, to investigate the Federal laws or treaties and produce a document letting us know what laws we have to change, and the reason we have not done it before is we are merely aiding litigants in challenging our own laws, and that is against our interest.

We ought not to be about encouraging challenges to our own laws. It is the duty of the Attorney General of Pennsylvania in court to assert that all our laws are constitutional. We gave the Attorney General that power and that duty when we set up the office. It is in our interest to assert that our own laws are constitutional. It is in our interest to assert that our own laws do not violate Federal laws. We ought not to be subsidizing attacks on our own laws.

Now, each law we enact, it was enacted because it provided some benefit for some person or some group. Representative Armstrong noted that we have laws that protect Pennsylvania industries in one way or another. We have laws that protect the

rights of Pennsylvania workers in one way or another. We ought not to be about the business of undermining our own laws. We ought not to be about the business of aiding litigants in challenging our own laws. This is a very significant resolution. This is not the kind of resolution that we ought to be adopting.

I urge Democrats to join the many Republicans who will be voting against this. This is a resolution that ought to be defeated.

The SPEAKER. The gentleman, Mr. Serafini, from Lackawanna County is recognized.

Mr. SERAFINI. Mr. Speaker, would the past two speakers please repeat their remarks for me?

This resolution was passed almost unanimously.

I seem to have lost track of what they are trying to do, because Representative Cohen is discussing a certain issue that seems to contradict exactly what he is asking for, and I am trying to get a handle on just what their attempts are.

The SPEAKER. The gentleman, Mr. Serafini, desires to interrogate the gentleman, Mr. Armstrong?

The gentleman, Mr. Armstrong, indicates he will stand for interrogation. You may begin.

Mr. SERAFINI. Well, it would primarily be Representative Cohen.

The SPEAKER. The gentleman, Mr. Cohen, indicates he will stand for interrogation. You may begin.

Mr. SERAFINI. Mr. Speaker, have you seen the restrictions on sewing products and garment products that you are discussing and that are being discussed in HR 25?

Mr. COHEN. Mr. Speaker, this resolution goes far beyond the regulations of any industry. It attacks everything that conceivably could be covered by the GATT and NAFTA treaties, and it is the very breath of the interpretations of the GATT and NAFTA treaties that leads me to oppose this resolution.

Mr. SERAFINI. Mr. Speaker, this resolution is directed specifically at three volumes which are each 1 foot thick of restrictions on American-made products that would go exactly against the Federal regulations we have in the United States to protect our workers.

One example — one example — would require that in the European Common Market—

I appreciate the opportunity to speak, Mr. Speaker, and now that I understand further exactly what we are discussing, I would like to end my discussion and return to SB 1074. Thank you.

The SPEAKER. The remarks of the gentleman, Mr. Serafini, are noted.

The Chair recognizes the gentleman, Mr. Armstrong.

Mr. ARMSTRONG. One last comment. Through the past couple of years, we have been dealing with an issue of the 10th Amendment and State sovereignty. This gets right at the heart of what State sovereignty is all about. It challenges our own Pennsylvania laws.

I implore all of you to vote "no" on this resolution.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House concur in the resolution of the Senate?

The following roll call was recorded:



YEAS-40

Bard	Fleagle	McCall	Rubley
Battisto	Flick	McGill	Saylor
Bunt	Geist	Michlovic	Sheehan
Cawley	Gladeck	Micozzie	Stish
Chadwick	Hasay	O'Brien	Taylor, J.
Civra	Herman	Olasz	Tigue
Cohen, L. I.	Horsey	Piccola	Wogan
Conti	Kaiser	Raymond	
Cornell	Kenney	Readshaw	Ryan,
Daley	Maitland	Reinard	Speaker
Fairchild	Major		

NAYS-151

Adolph	Durham	Lucyk	Scrimenti
Allen	Egolf	Lynch	Semmel
Argall	Fajt	Manderino	Serafini
Armstrong	Fargo	Markosek	Shaner
Baker	Farmer	Marsico	Smith, B.
Barley	Feese	Masland	Smith, S. H.
Bebko-Jones	Fichter	McGeehan	Snyder, D. W.
Belfanti	Gamble	Melio	Staback
Birmelin	Gannon	Merry	Stairs
Bishop	George	Miller	Steelman
Blaum	Gigliotti	Mundy	Steil
Boscota	Godshall	Nailor	Stern
Boyes	Gruitza	Nickol	Stetler
Brown	Gruppo	Nyce	Strittmatter
Browne	Habay	Oliver	Sturla
Butkovitz	Haluska	Perzel	Surra
Buxton	Hanna	Pesci	Tangretti
Caltagirone	Hershey	Petrarca	Taylor, E. Z.
Cappabianca	Hess	Petrone	Thomas
Carn	Hutchinson	Petit	Trello
Carone	Itkin	Phillips	Trich
Clark	Jadlowiec	Pistella	True
Clymer	James	Pitts	Tulli
Cohen, M.	Jarolin	Platts	Vance
Colaella	Josephs	Preston	Van Horne
Colaizzo	Keller	Ramos	Veon
Corpora	King	Reber	Walko
Corrigan	Kirkland	Rieger	Washington
Cowell	Krebs	Roberts	Waugh
Coy	Kukovich	Robinson	Williams
Curry	LaGrotta	Roebuck	Wozniak
DeLuca	Laughlin	Rohrer	Wright, D. R.
Dempsey	Lawless	Rooney	Wright, M. N.
Dent	Lederer	Rudy	Yewcic
Dermody	Leh	Sainato	Youngblood
DeWeese	Lescovitz	Santoni	Zimmerman
DiGirolamo	Lcvdanský	Sather	Zug
Donatucci	Lloyd	Schuler	

NOT VOTING-8

Belardi	Evans	Harhart	Mayernik
Druce	Gordner	Hennessey	Vitali

EXCUSED-3

Mihalich	Schroder	Travaglio
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Less than the majority having voted in the affirmative, the question was determined in the negative and the resolution was nonconcurrent in.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE

The clerk of the Senate, being introduced, informed that the Senate has adopted the Report of the Committee of Conference on the subject of the differences existing between the two Houses on **SB 1074, PN 1493**.

SUPPLEMENTAL CALENDAR A

REPORT OF COMMITTEE OF CONFERENCE

Mr. PERZEL called up for consideration the following Report of the Committee of Conference on **SB 1074, PN 1493**, entitled:

An Act amending the act of September 30, 1983 (P. L. 160, No. 39), entitled "Public Official Compensation Law," further providing for compensation of justices and judges of Statewide courts, judges of courts of common pleas, judges of the Philadelphia Municipal Court, judges of the Philadelphia Traffic Court, district justices and the Governor, the Lieutenant Governor, the State Treasurer, the Auditor General, the Attorney General and certain other State officers and the salary and certain expenses of the members of the General Assembly; and making a repeal.

On the question,

Will the House adopt the report of the committee of conference?

The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

YEAS-104

Adolph	Dempsey	Keller	Reber
Allen	Dermody	Kenney	Reinard
Armstrong	DeWeese	King	Rieger
Barley	Durham	Lawless	Roebuck
Battisto	Evans	Leh	Sather
Belardi	Fargo	Lescovitz	Schuler
Belfanti	Feese	Lucyk	Semmel
Birmelin	Fichter	Manderino	Smith, B.
Bishop	Fleagle	Markosek	Snyder, D. W.
Blaum	Flick	Marsico	Staback
Bunt	Gamble	McCall	Steil
Butkovitz	Gannon	McGeehan	Stern
Buxton	Geist	McGill	Strittmatter
Caltagirone	George	Merry	Taylor, E. Z.
Cappabianca	Gigliotti	Michlovic	Taylor, J.
Carn	Gladeck	Micozzie	Tigue
Chadwick	Godshall	Mundy	Trello
Civra	Gordner	O'Brien	Trich
Clymer	Gruppo	Oliver	Tulli
Cohen, L. I.	Hasay	Perzel	Veon
Cohen, M.	Hennessey	Pesci	Williams
Colaella	Herman	Petrone	Wogan
Colaizzo	Hershey	Phillips	Wozniak
Conti	Horsey	Pitts	
Cornell	Itkin	Preston	Ryan,
Corrigan	Jarolin	Raymond	Speaker
Cowell	Josephs		

NAYS-91

Argall	Gruitza	Miller	Shaner
Baker	Habay	Nailor	Sheehan
Bard	Haluska	Nickol	Smith, S. H.
Bebko-Jones	Hanna	Nyce	Stairs
Boscola	Harhart	Olasz	Stelman
Boyes	Hess	Petrarca	Stetter
Brown	Hutchinson	Pettit	Stish
Browne	Jadlowiec	Piccola	Sturla
Carone	Kaiser	Pistella	Surra
Clark	Kirkland	Platts	Tangretti
Corpora	Krebs	Ramos	True
Coy	Kukovich	Readshaw	Vance
Curry	LaGrotta	Roberts	Van Horne
Daley	Laughlin	Robinson	Vitali
DeLuca	Lederer	Rohrer	Walko
Dent	Levdansky	Rooney	Waugh
DiGirolamo	Lloyd	Rublely	Wright, D. R.
Donatucci	Lynch	Rudy	Wright, M. N.
Druce	Maitland	Sainato	Yewcic
Egolf	Major	Santoni	Youngblood
Fairchild	Masland	Saylor	Zimmerman
Fajt	Mayernik	Scrimenti	Zug
Farmer	Melio	Serafini	

NOT VOTING-4

Cawley	James	Thomas	Washington
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EXCUSED-3

Mihalich	Schroder	Travaglio
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the committee of conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

**REMARKS SUBMITTED FOR THE RECORD**

The SPEAKER. The gentleman, Mr. Trich.

Mr. TRICH. Thank you, Mr. Speaker.

Would it be appropriate for me to request an opportunity to give remarks for the record?

The SPEAKER. The gentleman may submit his remarks for the record. That would be appropriate.

Mr. TRICH. Thank you, Mr. Speaker.

The SPEAKER. He may submit his remarks.

Mr. TRICH submitted the following remarks for the Legislative Journal:

As I have stated previously to both members of the House and publicly, my vote for or against a legislative pay increase would depend on three primary considerations. It would have to be voted on as a "stand-alone" - not tied into or with other issues such as school choice. It would have to be reasonable and based on something measurable, like a cost-of-living formula. And third, it would have to be done in the "light of day" during regular session.

Today we have reached a time for decisionmaking. Certainly not an easy decision by anyone's estimation. Based in large part by the fulfillment of the conditions I previously have stated, and the fact that there have been no increases over the past 8-plus years, I can and will support this measure.

In addition, we have also made a sincere attempt to end future pay grabs, where unjust compensation increases were set arbitrarily. The "cost-of-living" wording in SB 1074 should take care of that issue.

For those members of the legislature whose conscience and convictions forced them to vote "no," I would certainly hope that their same sense of conviction and conscience would dictate that they not accept this pay adjustment. I believe that I can make that observation for the following reason. Although I was not in office when the last raise was voted on, I chose "not" to accept it when I did take office. My decision was based on the manner in which the raise took place.

For those who would vote "no" today, merely to seek a "political safe-haven," yet intend to accept the raise, perhaps it will be the conscience of the electorate that will come into play.

My position was made public some time ago. It is a course that I believe has been upfront and honest. It is my hope that those whom I represent will take that into account in their judgment of my vote.

**VOTE CORRECTIONS**

The SPEAKER. The gentleman, Mr. Cawley.

Mr. CAWLEY. Mr. Speaker, on SB 1074, I pressed "yes" and it was not recorded.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

The Chair recognizes the gentleman, Mr. James. For what purpose does the gentleman rise?

Mr. JAMES. Thank you, Mr. Speaker.

Mr. Speaker, my vote was not recorded, and I would like to be voted in the affirmative on SB 1074.

**REMARKS SUBMITTED FOR THE RECORD**

Mr. JAMES. I would also like to submit some remarks for the record on SB 1074.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

Mr. JAMES submitted the following remarks for the Legislative Journal:

Thank you, Mr. Speaker.

Mr. Speaker, I have some problems and concerns with this proposal, and before I render my vote, I would like to make sure they are very, very clear.

The public policies recently instituted by this House have had devastating effects on my community.

This proposal will benefit all of us here, but how will it benefit the residents in my neighborhood, the residents in my community, Mr. Speaker?

As urban housing conditions continue to deteriorate, we eliminated more than \$16 million from housing and redevelopment assistance.

The State budget cut and combined several successful development programs, particularly those designed to provide targeted assistance to troubled areas in my district.

We made drastic changes in the State welfare system, eliminating one of the few safety nets offered to the transitionally needy.

Someone once said that: Politics is the art of negotiation.

So, Mr. Speaker, if you want my help in passing this measure, then we must begin negotiations now, and you have to help me by supporting legislation that benefits the communities and neighborhoods in my district, which has been devastated by the mean-spirited and insensitive policies recently approved in these chambers.

Reconsider pending crime legislation that ignores prevention. Find cost-effective and compassionate solutions to the problems of crime and violence.

What can be done? How about:

Prenatal care and Head Start programs.

Adequate funding for basic and higher education to deter crime.

Affordable housing instead of prison complexes.

Job creation programs that provide people with opportunities.

The passage of these initiatives, along with the adoption of true and fair welfare reform that does NOT punish someone for being poor, would be appropriate.

For what are we doing to improve the status of the poor people in Pittsburgh, the poor people in Harrisburg, the poor people in Philadelphia, and every poor person living throughout Pennsylvania?

We need those programs.

This is what I need from the leadership on both sides of the aisle to address the problems affecting the communities and neighborhoods in my district.

If I can be assured that we will work on these concerns, then and only then can I support this proposal.

### VOTE CORRECTION

The SPEAKER. The Chair recognizes the lady, Ms. Washington.

Ms. WASHINGTON. Mr. Speaker, my switch malfunctioned, and I would like to be voted in the affirmative for that bill, SB 1074.

The SPEAKER. The remarks of the lady will be spread upon the record.

### FILMING PERMISSION

The SPEAKER. The Chair wishes to advise members that he now gives permission to Gary Miller of AP to take still photographs on the floor.

I just received this, Gary. Had I received it sooner, I of course would have given you permission at the time of receipt. I apologize if you had turned that in earlier; I apologize.

### VOTE CORRECTIONS

The SPEAKER. The gentleman from Philadelphia, Mr. Curtis Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, my button malfunctioned on SB 1074. If it had been recorded, it would have been recorded in the affirmative.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

The Chair recognizes the lady, Mrs. Harhart.

Mrs. HARHART. Mr. Speaker, for SR 26 my vote was not recorded on concurrence. I would like to put my vote in the negative.

The SPEAKER. The remarks of the lady will be spread upon the record.

Mrs. HARHART. Thank you.

The SPEAKER. Are there any other corrections of the record?

There will be no further votes taken this evening. The Chair, however, will be held open to do housekeeping chores.

### VOTE CORRECTION

Mr. HORSEY. Mr. Speaker, I would like to have a vote corrected, if possible.

The SPEAKER. The Chair recognizes the gentleman, Mr. Horsey.

Mr. HORSEY. Thank you, Mr. Speaker.

I would like to have a vote properly recorded. At the time the vote was taken, I got a cramp in one of my fingers and happened to hit the buzzer the wrong way.

The SPEAKER. Which way did it go?

Mr. HORSEY. I think it went "yes" on — I do not have my glasses on — on SR 26 when it should have gone "no."

Now, now, now, just for the record— Just a minute, Mr. Speaker. There are people here laughing at that, Mr. Speaker, but I really did hurt my hand the other day and I did push the wrong button. I waited late to push it and it was too late to push the right one. On SR 26, I voted "yes"; I meant to vote "no."

The SPEAKER. Well, I am glad to see that your hand recovered a little later and it is operative at this time. Thank you, Mr. Horsey. Your remarks will be spread upon the record.

Mr. HORSEY. Thank you, Mr. Speaker.

### BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

#### SB 1074, PN 1493

An Act amending the act of September 30, 1983 (P. L. 160, No. 39), entitled "Public Official Compensation Law," further providing for compensation of justices and judges of Statewide courts, judges of courts of common pleas, judges of the Philadelphia Municipal Court, judges of the Philadelphia Traffic Court, district justices and the Governor, the Lieutenant Governor, the State Treasurer, the Auditor General, the Attorney General and certain other State officers and the salary and certain expenses of the members of the General Assembly; and making a repeal.

Whereupon, the Speaker, in the presence of the House, signed the same.

### BILLS PASSED OVER

The SPEAKER. Without objection, all remaining bills on today's calendar will be passed over. The Chair hears no objection.

**ADJOURNMENT**

The SPEAKER. Do the Republican leaders, Democratic floor leaders have any further business? Any announcements, any reports of committees?

Hearing none, the Chair recognizes the gentleman from Cambria, Mr. Haluska.

Mr. HALUSKA. Mr. Speaker, I move that this House do now adjourn until Wednesday, October 18, 1995, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 7:23 p.m., e.d.t., the House adjourned.